

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18957 of 2025

Arising Out of PS. Case No.-114 Year-2017 Thana- NADI P.S. District- Patna

Vikky Kumar @ Sanjay Kumar Yadav S/O Brij Raj Prasad Yadav @ Brijraj Prasad Yadav @ Biraj Yadav R/O vill - Sonaru, P.S - Fatwa @ Fatuha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Special Case no. 8373 of 2017, arising out of Nadi P.S. Case No. 114 of 2017, instituted for the offences punishable under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 765 liters liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel



for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case during course of investigation. It is further submitted that the petitioner is neither owner nor driver of the truck in question. The petitioner is in custody since 01.02.2025 and has got five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case no. 8373 of 2017, arising out of Nadi P.S. Case No. 114 of 2017, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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