

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22935 of 2025

Arising Out of PS. Case No.-83 Year-2019 Thana- TERHAGACHH District- Kishanganj

Raj Kumar Yadav S/o Jittan Lal Yadav R/o Village- Barkadangi Ward No.14,
P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Tedhagaach P.S. Case No. 83 of 2019 registered on 11.05.2019 for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, the present case pertains to the recovery of 360 liters of illicit Nepali liquor, allegedly transported on three motorcycles. It is claimed that one of these motorcycles is registered in the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is further submitted that no recovery has been made from the



conscious physical possession of the petitioner. The petitioner's name has surfaced in the present case solely on the ground that one of the three motorcycles, from which the alleged illicit liquor was recovered, is registered in his name. Apart from this, there is no other incriminating material against the petitioner. The petitioner also has a clean criminal antecedent.

5. Learned APP for the State opposes the prayer for bail and submits that although the petitioner has no prior criminal record, but he is the registered owner of the motorcycle from which the alleged recovery was made.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the DJ-II cum- Exclusive Special Judge (Excise-1), in connection with Tedhagaach P.S. Case No. 83 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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