

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24630 of 2025

Arising Out of PS. Case No.-179 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Brijesh Yadav S/o Late Rajesh Yadav R/o Village- Lamui, P.S.- Jamaniya,
Dist- Gazipur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with PR No. 179 of 2025 corresponding Excise P.S. Case No. 179 of 2025 instituted for the offences punishable under Sections 30(a), 32(i), 32(iii), 41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 78.840 litres of foreign liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted



that petitioner is not the owner of the vehicle in question. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 07.03.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with PR No. 179 of 2025 corresponding Excise P.S. Case No. 179 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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