

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24603 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- ASANWA District- Siwan

Rishi Yadav, S/o Lorik Yadav, Resident of Village- Narayanpur, P.S. - Andar,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Asaon P.S. Case No. 27 of 2024 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is of indulged in trafficking of illicit liquor. The police on a secret information that the petitioner along with other co-accused persons are going on a Maruti Suzuki Car, bearing registration No. HR51CD 0564 tried to intercept. However, all the accused persons, including the petitioner, succeeded in fleeing away by parking the car beside the road. In course of search, total 251 litres of country made liquor was recovered.

4. Learned Advocate for the petitioner referring to the



F.I.R. has contended that the entire case is based on suspicion. Moreover, the petitioner has neither any concern with the vehicle, in question, nor with the recovered illicit liquor. During the course of investigation no material has come suggesting the involvement of the petitioner. Save and except the disclosure made by the village Chaukidar and the local persons, there is nothing on record and, as such, contention has been made that the bar provided under Section 76(2) of the of the Bihar Prohibition and Excise Act, 2016 is not attracted. It is lastly contended that the petitioner bears fair antecedent.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case is based on the disclosure made by the local Chaukidar and villagers and there is no recovery of any incriminating material from the whereabouts of the petitioner, coupled with the fair antecedent and also the fact that the materials available on record does not attract the provisions of Section 76(2) of the of the Bihar Prohibition and Excise Act, 2016, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of



receipt/production of a copy of this order, 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 learned Special Judge, Exclusive Special Court No.1, Siwan in connection with Asaon P.S. Case No. 27 of 2024, subject to the condition as laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Harish Kumar, J)

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