

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28211 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- Excise P.S. District- Banka

Ashish Yadav @ Ashish Kumar S/o Tarzan Yadav R/o Vill.- Kanduar, P.S.-
Amarpur, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Banka
Excise P.S. Case No. 134 of 2025 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 190 litres
of 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. The petitioner has



got no concern with the alleged recovery of liquor. The petitioner is in custody since 13.03.2025 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, clean antecedent 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 Banka Excise P.S. Case No. 134 of 2025.

(Rudra Prakash Mishra, J)

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