

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32527 of 2025

Arising Out of PS. Case No.-247 Year-2024 Thana- BARSOI District- Katihar

=====

Raja Yadav S/o Nitai Yadav R/o - Raghunathpur, P.S.- Barsoi, Distt- Katihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Gulnar Begum

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act.

3. Perusal of the first information report and the seizure
list, would go to show that 30.600 liters of foreign liquor is said
to have been recovered from a bag kept on a motorcycle which
was left at the place of occurrence by the accused persons.

4. It is submitted by learned counsel for the petitioner
that the petitioner is neither the owner of the motorcycle nor he
was riding the said motorcycle. The name of the petitioner has
been disclosed by a local Chowkidar and there is no recovery
from the conscious or physical possession of the petitioner.
There has also been a violation of the mandatory provisions of



search and seizure as there is no independent witness to the seizure list and the petitioner is in custody since 21.12.2024.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has two criminal antecedents of similar nature of the offence. However, it is submitted that the petitioner is on bail in both the cases.

6. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Barsoi P.S. Case 247 of 2024, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

(iii) The petitioner would appear before the learned Court below on each and every date till the charges are framed.

(iv) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the



petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

