

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34462 of 2025

Arising Out of PS. Case No.-64 Year-2023 Thana- KURTHA District- Jehanabad

Vijay Yadav S/o Mahendra Yadav R/o Vill- Mubarakpur, P.S.- Bansi, Distt-
Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Md. Aslam Ansari, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 No one appears on behalf of the petitioner. Learned
APP for the State is present.

2. The petitioner seeks regular bail in connection with
Kurtha (Manikpur) P.S. Case No. 64 of 2023, lodged on
03.03.2023, under Sections 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution, total recovery of 200 litres
of illicit liquor has been made from the motorcycle, which is the
subject matter of the present case.

4. It transpires from the record that the petitioner has
been in custody since 12.02.2025 and has two criminal
antecedents of the same nature. It has been pleaded in the FIR
that the petitioner's name figured only on suspicion, based on the
disclosure made by the local *chowkidar*. It has further been
pleaded in the FIR that no incriminating article was recovered
from the petitioner's physical possession. It has also been
pleaded that the petitioner has no connection with the seized



articles and that the seized motorcycle does not belong to him.

5. Learned APP for the State opposes the prayer for bail and submits that the criminal antecedent of the petitioner is not clean, as there are two criminal cases pending against him, both of the same nature. However, counsel fairly submits that the petitioner is alleged to be involved with only 100 litres of illicit wine, and the recovery has not been made from the petitioner's possession.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed** and on being satisfied by the Trial Court that the petitioner is not absconding in Banshi P.S. Case No. 121 of 2023 and Banshi P.S. Case No. 52 of 2024. Further, the petitioner shall furnish bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Spl. Excise Court II, Jehanabad, in connection with Kurtha (Manikpur) P.S. Case No. 64 of 2023, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

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