

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39333 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- PALASI District- Araria

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Kunal @ Kunal Kumar Yadav S/o Biren Yadav @ Birendra Biswas R/o
Village- Pothia ,P.S.-Palasi, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. Let the defect(s) as pointed out by the office be
ignored.

3. The petitioner has preferred this application for grant
of regular bail in connection with Palasi P.S. Case No. 243 of 2024
dated 14.07.2024 registered for the offences punishable u/ss 30(a),
32(2), 32(3), 36, 41(1) and 41(2) of the Bihar Prohibition and
Excise Act.

4. As per the prosecution case, total 531 litres of illicit
Nepali liquor was recovered from the vehicle of the petitioner.

5. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. The petitioner is neither the owner nor the driver of the
seized vehicle and he has no concern with the alleged recovery.
Nothing has been recovered from the conscious possession of the



petitioner. The co-accused person has already been granted anticipatory bail by a Coordinate Bench of this court vide order dated 04.10.2024 passed in Cr. Misc. No. 72346/2024. The petitioner has seven criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 20.02.2025.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Palasi P.S. Case No. 243 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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