

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35091 of 2025

Arising Out of PS. Case No.-280 Year-2025 Thana- Excise P.S. District- Siwan

1. Ranjan Kumar son of Brij Kishore Yadav Resident of Village - Semaria, P.S. - Nautan, District - Siwan
2. Ashwani Kumar Yadav Son of Manoj Yadav village- Dhamaur, Ps- Mairwa, Dist- 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 : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 08-07-2025 Heard learned Counsel for the petitioners and
learned A.P.P for the State.

2. The petitioners seek regular bail in connection with Siwan Excise P.S. Case No. 280 of 2025 registered for the offences punishable under Sections 30(a), 32(3), 54 of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the police on secret information intercepted a Honda CRV car and two persons were apprehended who disclosed their name as Ranjan Kumar and Ashwani Kumar Yadav (the petitioners). A total of 197.760 Indian made foreign liquor was recovered from the said car.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in the present case merely because petitioner no.1 happens to be the driver and petitioner no.2 is the co-driver. It has further been submitted that the petitioners are admittedly not the owners of the car and they were unaware of any such unauthorized material kept in the car. It is next submitted that even in the seizure list, no independent witness has signed and thus it renders the seizure as dubious. It is lastly submitted that the petitioners have no criminal antecedent and is in custody since 25.04.2025. Learned counsel for the petitioners undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions of the parties, let the petitioners above-named, be enlarged on bail, on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to on each of them furnishing of bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court-



II, Siwan, in connection with Siwan Excise P.S. Case No. 280 of 2025, subject to the following conditions:-

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.
- (iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage 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, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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