

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44176 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- BENIPATTI District- Madhubani

Satrudhan Yadav @ Rajendra Kumar S/o Ramu Yadav R/o Village-Paphara,
P.S.- Markacho, District-Koderma (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 3537.360 liters of foreign liquor is said to have been recovered from a truck.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. As a matter of fact, the name of the petitioner has surfaced in the present case on account of the fact that he being the owner of the said truck. However, the petitioner has made a specific assertion in para-10 and 11 of this petition that he had sold the said truck to one Rakesh Yadav on 04.03.2025 and the present occurrence took place on 27.03.2025. The agreement paper of sale has also been annexed as Annexure- 2 to the present



application. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list and the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Benipatti P.S. Case No. 67 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) One of the bailors will be a family member/close relative.

(ii) The petitioner would cooperate in the investigation and make himself available as and when required by the Investigating Officer.

(Soni Shrivastava, J)

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