

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47321 of 2025

Arising Out of PS. Case No.-348 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Kanhaiya Yadav S/o Dadan Singh R/o Village- Chanroli, P.S.- Kuchhila,
District- Kaimur at Bhabhua Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kiran Kumari Sharma, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
PS Case No. 348 of 2025 instituted for the offences under
Sections 30(a), 32(i),(iii), 41(1) and 41(2) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 607.920
litres of foreign liquor was recovered from Truck bearing
Registration No. UP65ET-0842.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that petitioner is the driver of the seized vehicle and he has no
knowledge regarding the nature of goods booked by the



transporter. The petitioner is in custody since 19.05.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 348 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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