

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51093 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- Raghunathpur Excise District- Siwan

BALINDRA YADAV S/O RAMAKANT YADAV RESIDENT OF
VILLAGE-DAHABARI, SULTANPUR, P.S.-ANDAR, DISTRICT- SIWAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Sections 30(a) and 32 (3) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. A perusal of the first information report and the seizure list would go to show that total 230.600 liters of foreign liquor has been recovered from two scooty.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case on the confessional statement of co-accused, Masoom Ali. The petitioner has no concern either with the seized liquor or the scooty. It is also a fact that the petitioner was not caught on the spot and nothing has been recovered from the physical or



conscious possession of the petitioner. There is violation of mandatory provisions of search and seizure as no independent witness has signed the seizure list. Further, there is no criminal antecedent.

5. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Raghunathpur P.S. Case No.68 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./Section 482 (2) of the B.N.S.S. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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