

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46560 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Dadan Kumar Yadav S/o Late Rajdeo Yadav @ Rajdev Yadav R/o Village-
Bhopatpur Nayaka Tola Ward No. 13, P.S.- Kotwa, District- East Champaran
At present- R/o Village- Bhopatpur Rajpur, P.S.- Kotwa, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

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

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Musarigharari P.S. Case No. 178 of 2024 instituted for the
offences under Sections 30(a)/41(i) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered
total 1451.520 liters of illicit foreign liquor from the truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He further submits that



nothing incriminating has been recovered from the conscious or constructive possession of the petitioner. The petitioner is the registered owner of the alleged truck. The petitioner has no concern with the seized liquor. The petitioner was not aware of the fact that his truck was being used in carrying the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 09.05.2025 without any rhyme or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Samshad Ansari and Radheshyam Yadav have been granted bail by this Court vide orders both dated 25.02.2025 passed in Cr. Misc. Nos. 11388 of 2025 and 11628 of 2025 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Musarigharari P.S. Case No. 178 of
2024.

(Rudra Prakash Mishra, J)

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