

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49128 of 2025

Arising Out of PS. Case No.-166 Year-2021 Thana- BITHAN District- Samastipur

Shri Sanjay Yadav @ Sanjay Yadav S/o Late Chanar Yadav @ Shri Bahadur
Yadav R/o Village- Tetrahi Bhuedhar, P.S.- Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. As per the prosecution story, the police upon secret information that the accused persons including this petitioner have brought huge quantity of foreign liquor by the truck, kept in the premises of Middle School, Banbhaura and are selling it. Accordingly, a raid was conducted and in the light of the vehicle claims to have identified the petitioner and other co-accused who however managed to escape. Thereafter, from Tata Pickup van, car and the motorcycle, the police recovered altogether 1080 litres of foreign liquor.



4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the conscious possession of petitioner and has been implicated in this case only on suspicion. Petitioner is not the owner of the vehicle in question. Petitioner has got one criminal antecedent in which he is on bail.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts & circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Samastipur, in connection with Bithan P.S. Case No. 166 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023.

(Prabhat Kumar Singh, J)

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