

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57629 of 2025

Arising Out of PS. Case No.-262 Year-2024 Thana- FATEHPUR District- Gaya

Bhuneshwar Yadav S/o Late Neman Yadav, R/o Village- Mocharak P.S.-
Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 100
litre illicit country made liquor kept in bag from Hero Splendor
motorcycle which was registered in the name of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case being the owner of the seized motorcycle. He further
submits that petitioner was not present on the spot and no
incriminating article has been recovered from his conscious
possession. Learned counsel submits that petitioner has given
his motorcycle to a villager for his essential work and he has no
knowledge about the recovery of illicit liquor from his



motorcycle. He further submits that petitioner has no concern with the alleged seized liquor and the seizure list has not been prepared in accordance with mandatory provisions of law. Learned counsel submits that petitioner is in custody since 06.07.2025, having clean antecedent and chargesheet has already been submitted in this case after completion of investigation. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released 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 learned Court concerned in connection with Fatehpur P.S. Case No.262 of 2024.

(Sunil Dutta Mishra, J)

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