

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66686 of 2025

Arising Out of PS. Case No.-437 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Kriti Yadav Son of Late Raghunath Ray Resident of Village - Dharampur P.S.
- Samastipur Muffasil, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv
For the Opposite Party/s : Mr.Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Samastipur (Mufassil) P.S. Case No. 437 of 2020 registered for
the offences punishable under Sections 30(a) of Bihar
Prohibition and Excise Act.

3. As per allegation in the FIR, there is a recovery of
950.49 litres of illicit liquor from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner has nothing to do with the alleged liquor
as it was recovered from the room adjacent to Zakir Hussain's



house. His name has been figured from the confessional statement of the co-accused namely Zakir Hussain. He further submits that petitioner has not been arrested from spot. He further submits that petitioner is in custody since 01.08.2025 having three antecedent of similar nature.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 23.08.2025, it appears that the alleged recovery was not made from the conscious possession of the petitioner rather it was recovered from the room adjacent to Zakir Hussain's house. Moreover, there is no independent witness to the seizure list. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named 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 learned Exclusive Special Judge (Excise) 1st, Samastipur in connection with Samastipur (Mufassil) P.S. Case No. 437 of 2020.

(Ramesh Chand Malviya, J)

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