

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67542 of 2025

Arising Out of PS. Case No.-606 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

Sri Bhagwan Yadav Son of Ramayan Yadav Resident of Village - Gopalpur,
Police Station - Goreakothi, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-09-2025 Heard Mr. Bijay Prakash Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ashok Kumar
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Siwan Muffasil (Mahadeva O.P.) P.S. Case No. 606 of
2023 registered for the offence(s) punishable under Sections
30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 720 ML of
illicit liquor was recovered from a Scooty, which was being
driven by co-accused Raju Choudhary.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Admittedly, at the time of
the alleged seizure and recovery of illicit liquor, petitioner was



not present and he has been made accused in this case, being the owner of the vehicle in question, which was given by the petitioner to one of his relatives/co-accused Raju Chaudhary in good faith and the same was being driven by him at the time of said incidence and, as such, the petitioner had no idea that he was carrying liquor on the said Scooty. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that the petitioner has clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court 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 learned Concerned Court where the case is pending in connection with Siwan Muffasil (Mahadeva O.P.) P.S. Case No. 606 of 2023, subject to the conditions as laid



down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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