

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71810 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- Excise P.S. District- Rohtas

Arjun Yadav S/O Late Rambail Yadav Resident of village - Bhaduki Kala,
Ward No. 11, P.S.- Kashma, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Excise Sasaram P.S. Case No. 287 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, petitioner and co-accused Chinta Devi were apprehended by the police on suspicion when they started running away on seeing the police party leaving behind four sacks. On search of the sacks, recovery of 98 liters of country made liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person



or possession of the petitioner. The illicit liquor was recovered near the railway track but at the instance of agnates of the petitioner, he has been falsely made accused in this case. The petitioner has been apprehended merely on the instance of his enemies. The mandatory provisions of search and seizure were not followed by the police. The petitioner is having clean antecedent and is in custody since 17.08.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and further considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to 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 Excise Judge-I, Rohtas at Sasaram/concerned court in connection with Sasaram Excise P.S. Case No. 287 of 2025 (Excise Case No. 673 of 2025), subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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