

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71155 of 2025

Arising Out of PS. Case No.-140 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

Moti Yadav S/O Birnand Yadav Resident of village- Dipau, P.S.- Kotwa,
Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Harsha Shashwat, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. There is recovery of 2684.250 litres illicit liquor
from a truck and the apprehended accused persons, namely,
Lalan Kumar and Hasmuddin Ansari disclosed that the person,
who fled away is the petitioner, who was driving the said
vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case on the basis of confessional statement of apprehended



accused persons. Petitioner was not present on the spot. Nothing has been recovered from conscious possession of the petitioner. Except confessional statement of apprehended accused persons, there is nothing material against the petitioner. Petitioner has no concern either with the seized liquor or the vehicle in question. Petitioner has one criminal antecedent of different nature in which he is on bail. Petitioner is in jail since 21.07.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioner 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, Gopalganj in connection with Kuchaikote P.S. Case No.140 of 2021 subject to the following conditions:

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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