

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71679 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- MALAHI District- East Champaran

Mahajan Yadav S/O Ganesh Yadav R/o vill - Chatiya Diyar, P.s.- Malahi,
Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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

3. As per the prosecution case, 17.1 litres of illicit
liquor was recovered from the house and motorcycle of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Further submission is that the alleged recovery is from the
joint house of the petitioner and the motorcycle in question was
parked outside the house of the petitioner. Petitioner was not
present at the spot and he has no concern with the seized liquor.
Nothing has been recovered from conscious possession of the



petitioner. There is no independent seizure list witness and there is violation of Sections 103 and 105 of B.N.S.S. Petitioner has clean antecedent and there is no chance of his absconding or tampering with the evidence. Petitioner is in custody since 19.08.2025 and he undertakes to cooperate in the investigation and 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 and the submissions of learned counsel for the parties, 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 Malahi P.S. Case No.134 of 2025.

(Sunil Dutta Mishra, J)

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