

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74590 of 2025**

Arising Out of PS. Case No.-580 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

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Subham Yadav @ Shubham Yadav Son of Sohan Yadav Resident of Village -  
23/98, Chowka Delwaria, P.S. - Jaidpur, Dist. - Varanasi, Uttarpradesh,  
Permanent R/V - Nayak Dih, Soniya par, P.S. - Khanpur, Dist. - Gazipur,  
Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Aquaib Khan, Adv.  
For the Opposite Party/s : Mr.Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      01-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Prohibition and Excise P.S. Case No. 580 of 2025 instituted for  
the offences under Sections 30(a), 32(i), 32(iii), 41(1)(2) of the  
Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered  
total 193.92 liters of illicit foreign liquor from the car. The  
petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is the driver of the alleged car and was not aware of the illicit liquor being kept in the same. The petitioner has no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.09.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Prohibition and



Excise P.S. Case No. 580 of 2025.

**(Rudra Prakash Mishra, J)**

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