

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84507 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- RAGHUNATHPUR District- Siwan

Ajeet Yadav, Male, aged about 30 years, Son of Late Kedar Yadav, Resident
of Village- Raghunathpur, P.S- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Raghunathpur P.S. Case No. 75 of 2024 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. As per the allegation, total 945 liters of country
made Mahua liquor has been recovered from a bush situated at
Gabhiraipur Bind Tola Canal.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He further submits that



nothing has been recovered from the conscious possession of the petitioner. He next submits that petitioner was neither present on the spot nor arrested by the police. He lastly submits that the name of the petitioner has been surfaced in this case only on the basis of confessional statement of co-accused. He submits that the said recovery is from a bush which is common, open and easily assessable for anyone. Petitioner is in custody since 26.10.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned ADJ Special Excise Court-2, Siwan dated 12.11.2024, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant, FIR has been lodged against seven accused persons including the petitioner. From perusal of the impugned order, it also appears that there is no any independent witness of the seizure list and he has been made accused only on the basis of confessional statement of co-accused, so considering all these aspects of the matter, the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned



ADJ Special Excise Court No. II, Siwan in connection with
Raghunathpur P.S. Case No. 75 of 2024.

(Ramesh Chand Malviya, J)

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