

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84899 of 2025

Arising Out of PS. Case No.-493 Year-2025 Thana- Excise P.S. District- Begusarai

1. Devnandan Yadav S/O Late Upendra Yadav R/o Village-Ambatari, P.S.- Choparan, District- Hajaribag (Jharkhand)
2. Tarkeshwar Singh S/O Ram Bilash Singh R/O Vill.- Naduaa, P.S.- Bhagwanpur, Dst.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 493 of 2025 instituted for the offences under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 84.6 liters foreign liquor was recovered from Mahindra XUV.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is



submitted that name of the petitioner No.1 has surfaced in this case as being driver of the vehicle in question, whereas the name of the petitioner No.2 has surfaced in this case as being passenger of the vehicle in question and they were oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 13.11.2025 and have got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 493 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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