

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88298 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- Sinha District- Bhojpur

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Galtu Yadav @ Ramesh Yadav S/o Late Ramashankar Yadav Resident of
Village - Kanha Chhapra, P.S.- Sinha, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Sinha PS. Case No. 73 of 2025 dated 27-08-2025, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 54.42 litres of
foreign liquor from the plastic sack loaded on an Apache
motorcycle bearing Registration No. BR03-AN-3782

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating article
has been recovered from the conscious possession of the
petitioner or from his house; rather, the alleged liquor was
recovered from the motorcycle bearing Registration No. BR03-



AN-3782, which does not belong to the petitioner. The petitioner has no concern with the seized illicit liquor. The petitioner has been arrayed as an accused in the instant case merely on the basis of suspicion. Lastly, it is submitted that two criminal cases are pending against the petitioner, in which he is already on bail.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Bhojpur at Ara, in Sinha PS. Case No. 73 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or



his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse and (iv) that 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.

7. The application stands allowed.

(Khatim Reza, J)

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