

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1581 of 2025**

Arising Out of PS. Case No.-531 Year-2024 Thana- ARARIA District- Araria

Vinit Yadav @ Vinit Kumar Yadav Son Of Bindeshwari Yadav R/O Village -
Shastrinagar, Ward No.- 16, P.S.- Araria, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, Adv.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 05-02-2025 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Araria P.S. Case No. 531 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading of illicit liquor along with other co-accused persons, where there is recovery of 2.16 litres of IMFL/country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the name of the petitioner transpired on the basis of apprehended co-accused persons and, moreover, the illicit liquor was recovered from the house which



is occupied by several adult family members and therefore, it can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual and legal submissions and by taking note of fact as the recovery of illicit liquor *prima-facie* appears doubtful from the conscious physical possession of the petitioner, who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria/concerned Court, where the case is pending in connection with Araria P.S. Case No. 531 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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