

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89497 of 2024

Arising Out of PS. Case No.-1147 Year-2024 Thana- Excise P.S. District- Purnia

Vikash Yadav @ Vikash Kumar Son of Binod Prasad Yadav village- Maranga,
west Ward no. 08 PS- Maranga District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Ram Prawesh Kumar, Advocate
Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Excise PS Case No. 1147 of 2024 instituted for the offences
under Sections 30(a) and 47 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total
1192.08 litres of foreign liquor was recovered from Pick-up
van.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been



recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that petitioner is neither the owner nor the driver of the seized vehicle. The petitioner is in custody since 02.12.2024 and has got thirteen criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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

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

7. Let the petitioner be released on bail, *after framing of charge, if not already framed* on furnishing bail bonds of Rs.10,000/- (Ten 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. 1147 of 2024, subject to the following conditions:

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



(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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