

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29307 of 2026

Arising Out of PS. Case No.-654 Year-2022 Thana- BRAHMPUR District- Buxar

Sanjay Yadav son of Harishankar Yadav Resident of Village- Balua PS-
Brahampur Distt -Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Mishra, Advocate.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The case of the prosecution, in short, is that from a
bike, altogether 50.220 liters of illicit foreign liquor was
recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. He also submits that nothing has been recovered from the
possession of the petitioner. The witnesses of the seizure list are
police personnel and the police has not complied with Section



105 of the BNSS while making the seizure. He further submits that the petitioner has been framed in the present case as he is the owner of the said bike. Moreover, the petitioner is languishing in judicial custody since 31.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of three cases out of which two are of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail *with the conditions that the petitioner shall cooperate in trial, shall remain physically present on each and every date fixed by the learned court below and shall not indulge himself in similar nature of the offences in future.* The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Buxar in connection with Brahampur P.S. Case No. 654 of 2022.

(Ashok Kumar Pandey, J)

Sudhanshu/-

U		T	
---	--	---	--

