

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30165 of 2026

Arising Out of PS. Case No.-251 Year-2025 Thana- BRAHMPUR District- Buxar

Sanjay Yadav S/O Hari Shankar Yadav R/O Vill - Balua, P.S.- Brahmpur,
Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Brahmpur P.S. Case No. 251 of 2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. The case of the prosecution, in short, is that altogether 36 liters of illicit liquor was recovered from a bike. It is alleged that the accused persons managed to flee away leaving the vehicle and they were identified in the light of the police vehicle and torch.

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. He is neither owner nor driver of the said bike. 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. Moreover, the petitioner is languishing in judicial custody since 04.04.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has criminal antecedent of three cases.

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 condition that the petitioner shall not indulge himself in similar nature of 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 Excise Court No. 2, Buxar in connection with Brahmpur P.S. Case No. 251 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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