IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78987 of 2026

CNR No. BRHC011139252026

Arising Out of PS. Case No.-195 Year-2026 Thana- Excise P.S. District- Bhojpur

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Ved Prakash Yadav S/O Saryu Yadav R/O VIll.- Nava Dera, Ward no. 15, P.s.- Naya Bhojpur, Dist.- Buxar.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Mohit Shriwastava, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 04-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. The accused-petitioner seeks bail in connection with Prohibition & Excise Sadar (Ara) P.S. Case No. 195 of 2026 registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R and in custody since 16.09.2026.

4. The allegation against the petitioner is to have in possession of **1003.800 liters** of illicit foreign liquor and engaged in illegal trading/manufacturing of illicit liquor.

5. Learned counsel appearing on behalf of the

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petitioner submitted the alleged illicit liquor was recovered from a secret cavity built within the cabin and body of the truck bearing registration No. UP60T-2360 near Gajrajganj Over-bridge on the Buxar-Ara-Patna Highway. Petitioner was the driver of the said truck. It is submitted that petitioner is not the owner of the truck and he had no knowledge regarding illicit liquor kept inside the vehicle.

6. It is submitted that recovery of illicit liquor was not made from conscious physical possession of this petitioner, who is a man of clean antecedent.

7. While concluding argument, it is submitted that investigation in this case has already completed, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. appearing on behalf of the State, opposes the prayer for regular bail.

9. In view of the aforesaid factual submission and by taking note of the fact as the recovery of illicit liquor from physical possession of the petitioner appears *prima-facie* doubtful, coupled with the fact that investigation of this case

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has already concluded, where petitioner, who is a man of clean antecedent, remains in custody since 16.09.2026, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Court No. 2, Bhojpur, Ara/concerned court, in connection with Prohibition & Excise Sadar (Ara) P.S. Case No. 195 of 2026, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

Rajeev/-

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