

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87095 of 2024**

Arising Out of PS. Case No.-90 Year-2024 Thana- DEODHA District- Madhubani

Suraj Yadav S/o Kishun Yadav R/o Village- Gangwara, P.s- Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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

ORAL ORDER

2      16-12-2024      Heard learned counsel for the petitioner and learned APP for the State.

2.      The petitioner seeks bail in connection with Deodha PS Case No. 90 of 2024 instituted for the offences under Sections 274, 275 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 & Section 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 135 liters *nepali* liquor was recovered from motorcycle.

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 motorcycle in question does not belong to the petitioner. The petitioner is in custody since 11-10-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been allowed regular bail by this Court *vide* order dated 05-12-2024, passed in Cr. Misc. No. 83406 of 2024.

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, clean antecedent of the petitioner 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 on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Deodha PS Case No. 90 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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