

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1487 of 2025

Arising Out of PS. Case No.-159 Year-2024 Thana- DARPA District- East Champaran

Rajesh Yadav S/O Ramlal Ray @ Ramlal Yadav R/O Vill.- Jhitkahiya Rangu
Tola, Ward no. 1, P.S.- Lakhaura, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhandev Kumar, Advocate

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

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

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Darpa P.S. case No. 159 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 274, 275, 3(5) of the B.N.S., 2023.

3. The prosecution case, in short, is that on secret information when police personnel reached the place of occurrence and recovered 80 litres liquor from a sack tied on 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 further submitted that the name of the petitioner has transpired as being owner of the motorcycle in question which was given to one Saddam Miyan for his personal use. The petitioner is in custody since 21.11.2024 and has got three criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

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 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 Darpa P.S. case No. 159 of 2024.

(Rudra Prakash Mishra, J)

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