

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12086 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- SAHARGHAT District- Madhubani

Radhey Yadav S/O Bhogendra Yadav R/O Village- Kerwa, P.S- Saharghat,
Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

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

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

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
G.R. No. 78 of 2025 arising out of Saharghat PS Case No.
07 of 2025 instituted for the offences under Sections 274,
275 3(5) of B.N.S. and 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 135
litres of 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 18.01.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 G.R. No. 78 of 2025 arising out of Saharghat PS Case No. 07 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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