

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14513 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- Excise P.S. District- Nawada

Saryu Yadav Son of Rohani Yadav @ Rohan Yadav Resident of Vill- Jov
Kala, P.S.- Rajauli, District- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

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

ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 234 of 2024 instituted for the offences punishable
under Sections 30(a), 30(c) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 250 litres
of liquor has been recovered from bushes and 8995 Kg mahua
was destroyed at the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from an open place accessible to public at large. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 28.01.2025 and has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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, *after framing of charge, if not already framed*, 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 Excise P.S. Case No. 234 of 2024.

(Rudra Prakash Mishra, J)

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