

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15422 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- BALTHAR District- West Champaran

1. Guddu Yadav S/O Asharfi Yadav R/O Vill.- Parsauni, P.S- Balthar, District - west Champaran
2. Rajesh Bind @ Rajesh Bin S/O Satan Bin R/O Vill.- Parsauni, P.S- Balthar, District - west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Balthar PS Case No. 138 of 2024 instituted for the offences under Sections 274, 275 of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 122.8 litres of Nepali liquor was recovered from jute sacks.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is



submitted that recovery is made from an open place, which is accessible to one and all. It is further submitted that apprehended persons disclosed the name of the petitioners. The petitioners are in custody since 29.12.2024. Petitioner no. 1 has no criminal antecedent and petitioner no. 2 has one criminal antecedent. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Balthar PS Case No. 138 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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