

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19321 of 2025

Arising Out of PS. Case No.-254 Year-2024 Thana- NAUHATTA District- Saharsa

Raj Kumar Yadav Son of Maheshwari Yadav Resident of village -
Chandrayan, Ward No.- 13, P.S.- Nauhatta, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Nauhatta P.S. case
No. 254 of 2024 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1.5 liters
liquor was recovered from the straw house.

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 the name of the petitioner has transpired on the basis of disclosure made by local people. It is also submitted that recovery is made from straw house which is an open place accessible to one and all. The petitioner is in custody since 27.12.2024 and has got three criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

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 Nauhatta P.S. case No. 254 of 2024, 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)

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