

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22784 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- Bhalpatti District- Darbhanga

Suresh Yadav @ Suresh Kumar Yadav S/O Late Ram Gulam Yadav Resident
of Village- Thadhi, P.S- Andhratharhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udeshya Yadav, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhalpatti P.S. Case No. 63 of 2024, instituted for the offences
punishable under Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 432 liters
liquor was recovered from car.

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. Learned counsel



for the petitioner also submits that the petitioner was not arrested at the place of occurrence. Name of the petitioner has transpired in this case on the basis of disclosure made by local chowkidar. It is further submitted that the petitioner is not owner and only driver of the car in question. The petitioner is in custody since 08.01.2025 and has got two criminal antecedents in which he is on bail in one case. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhalpatti P.S. Case No. 63 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

