

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21661 of 2025

Arising Out of PS. Case No.-43 Year-2021 Thana- VISHAMBHARPUR District- Gopalganj

Munna Yadav S/o Late Wakil Yadav R/o Village- Dharampur, P.S.- Yadopur
@ Jadopur, Present Address, Village- Maniyarapuram, P.S.- Kuchaikote,
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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

ORAL ORDER

2 07-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Vishambharpur PS Case No. 43 of 2021 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 234 liters
liquor was recovered from tractor.

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. Petitioner was not
arrested on the spot. Name of the petitioner has surfaced in this



case on the basis of disclosure made by co-accused, namely, Rajesh Yadav and Ambika Yadav. Petitioner is neither the owner nor the driver of the tractor in question. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 30-01-2025 and has got five criminal antecedents. There is no compliance of Section 103 of the BNSS, 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, *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 Vishambharpur PS Case No. 43 of 2021.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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