

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23784 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- Pastpar Pusthi District- Saharsa

1. Mangal Kumar Son of Chintaman Yadav Resident Of Village- Rajoun, Ward No 5, Ps -Rajoun, Dist- Banka
2. Gaurav Yadav @ Gouraw Yadav Son of Ambika Yadav @ Ambika Prasad Yadav village- Navtoliya, Ward no. 5, Ps- Rajoun, Dist- Banka
3. Rishu Raj Son of Krishna Das @ Krishna Mohan Das village- Pipraha, Ward no. 14, Ps- Rajoun, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Pastpar P.S. Case No. 12 of 2025, 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, 510.68 liters liquor was recovered from two vehicles out of which 450.18 liters liquor was recovered from the tractor of the petitioners and all of them were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered



from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that petitioner no. 3 is driver of the tractor in question and petitioner nos. 1 and 2 were sitting in that vehicle. It is further submitted that none of the petitioners are owner of the tractor. The petitioners are in custody since 24.01.2025 and have got no criminal antecedent. 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 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pastpar P.S. Case No. 12 of 2025.

(Rudra Prakash Mishra, J)

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