

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28714 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- PAHARPUR District- East Champaran

Jhunu Kumar Yadav S/o Rajendra Yadav @ Rajindra Yadav R/v - Bariyarpur,
P.s.- Nautan, District -West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

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

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

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Paharpur P.S. Case No. 107 of 2025, instituted for the offences
punishable under Sections 30(a) 41 and 51 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 42.840 liters
liquor was recovered from a motorcycle.

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 present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of secret information received by the police. It is further submitted that the petitioner is not the owner of the motorcycle in question. The petitioner is in custody since 01.03.2025 and has got one 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paharpur P.S. Case No. 107 of 2025.

(Rudra Prakash Mishra, J)

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