

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31667 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- GOPALPUR District- Gopalganj

Awadhesh Yadav, Male, aged about 23 years, Son of Harinandan Yadav, R/o-
Chero Tola/ Sangwadih Gadi Tola, P.S.- Gopalpur, District - Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepankar Raj, Advocate
For the Opposite Party : Mr. Suresh Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 161 of 2024 dated 20.07.2024 registered
for the offences punishable under Sections 317(5) of the B.N.S.,
2023 and Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution case, total 122.600 litres of
country made liquor was recovered from the motorcycle of the
co-accused Neeraj Kumar who disclosed the names of Manish
Kumar, Raj Kumar Singh and Awadhesh Yadav (petitioner) as



fleeing persons from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not arrested on the spot and his name has surfaced in the present case on the basis of the disclosure made by the arrested co-accused person Neeraj Kumar which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from his possession. The petitioner has no concern with seized motorcycle and the liquor. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 01.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IV-cum-Exclusive Special Judge Court-II, Gopalganj in connection with Gopalpur P.S. Case No. 161 of 2024.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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