

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38615 of 2025

Arising Out of PS. Case No.-220 Year-2025 Thana- AGAMKUAN District- Patna

Kallu Yadav @ Karan Yadav @ Kallu S/O Late Lalbabu Yadav Village-
Kumhrar, Gwal Toli, PS- Agamkuan, and Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

2 19-06-2025 Heard Mr. Jay Ram Prasad, learned counsel for the
petitioner and Mr. Nityanand Tiwary, learned APP for the State.

2. The petitioner seeks bail in connection with
Agamkuan P.S. Case No. 220 of 2025, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 102 liters
liquor was recovered from plastic sack from an open place.

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 on the basis of disclosure made by local people. The petitioner is in custody since 02.05.2025 and has got six criminal antecedents in which he is on bail. 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 Agamkuan P.S. Case No. 220 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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