

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37600 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- GOPALPUR District- Gopalganj

Devendra Yadav S/o- Late Shankar Yadav @ Sankar Chaudhari R/o Village-
Ahiyapur P.S. Gopalpur District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

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

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

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gopalpur P.S. case No.
88 of 2025 instituted for the offences under Sections 317(2),
3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 8.8 liters
liquor was recovered from a bag.

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. It is



further submitted that the name of the petitioner has transpired on the basis of disclosure made by local people. The petitioner has got no concern with the bag in question. The petitioner is in custody since 22.04.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 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 Gopalpur P.S. case No. 88 of 2025.

(Rudra Prakash Mishra, J)

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