

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40143 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- Gurupa District- Gaya

1. Lokesh Yadav @ Lokesh Kumar S/o Yamuna Yadav @ Jamuna Yadav Resident of Village- Jaipur Tola, Charkapather, P.S.- Fatehpur, District- Gaya, Bihar
2. Prabhu Yadav @ Prabhu Prasad Yadav S/o Dukhan Yadan @ Dukhan Prasad Yadav R/o Village-Manhona, P.S.- Gurpa, District-Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gurpa PS Case No. 59 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 281, 325 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 450 liters country made liquor was recovered from a Car.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. It is submitted that petitioners' name have surfaced in this case on the disclosure made by local people. Petitioners are neither the driver nor the owner of the car in question. The petitioner No.1 is in custody since 14-05-2025, whereas petitioner No.2 is in custody since 26-05-2025 and have got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gurpa PS Case No. 59 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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