

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47970 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Rakesh Yadav @ Rakesh Kumar S/o Dayanand Yadav @ Dayanand Singh
Resident of Bhawatipur, P.S.- Udwant Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shantam Shivam, Advocate

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

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

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Udwantnagar PS Case No. 83 of 2024 instituted for the
offences under Sections 414 of IPC and 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 56
litres of country made liquor was recovered from
Motorcycle bearing Registration No. BR03AB-1618.

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 submitted that motorcycle in question does not belong to the petitioner. It is further submitted that apprehended co-accused person disclosed the name of the petitioner. The petitioner is in custody since 19.05.2025 and has got four criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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, *after framing of charge if not already framed* 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 Udwanthnagar PS Case No. 83 of 2024, 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)

Raj Ranjan/-

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