

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47162 of 2025

Arising Out of PS. Case No.-91 Year-2023 Thana- JAYNAGAR District- Madhubani

Ajeet Yadav S/O Late Ganga Yadav R/O Village- Gobrahi, P.S- Jaynagar,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Adv

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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

ORAL ORDER

5 04-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jaynagar P.S. Case No. 91 of 2023, instituted for the offences punishable under Sections 272, 273, 414 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 451.45 liters of Nepali liquor was recovered at the bank of river and from motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submits that



Charge-sheet in this case has been submitted, thereafter, the Court below has took cognizance of this 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 submits that the motorcycle in question does not belong to the petitioner. It is further submitted that the recovery is made from an open place, which is accessible to one and all. It is also submitted that local *Chaukidar* disclosed the name of the petitioner. The petitioner is in custody since 24.02.2025 and has got fourteen criminal antecedent. 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jaynagar P.S. Case No. 91 of 2023,



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)

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