

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48486 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- HARLAKHI District- Madhubani

Rakesh Yadav S/o- Ram Hariday Yadav @ Hriday Yadav R/o - Umgaon, P.S -
Harlakhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 30-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Harlakhi P.S. Case No. 118 of 2025 dated 12.05.2025 registered for the offences punishable under Sections 274 and 275 read with Section 3(5) of the BNS and under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 360 litres of illicit Nepali country made liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. Nothing has been recovered



from the conscious possession of the petitioner. The petitioner is not the owner of the said vehicle and he has no concern with the alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 16.07.2025 passed in Cr. Misc. No. 46595/2025. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 12.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Act, Madhubani, in connection with Harlakhi P.S. Case No. 118 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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