

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51939 of 2025

Arising Out of PS. Case No.-235 Year-2025 Thana- PAHARPUR District- East Champaran

SUMIT YADAV S/O RAMBACHAN YADAV R/o vill - Shyampur Kotraha,
P.S.- Nautan, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

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

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

ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Paharpur P.S. Case No. 235 of 2025 instituted for the offences
punishable under Section 111(3) of BNS and Sections 30(a),
41(1), 52 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 109.950
litres of liquor was recovered from one motorcycle and one car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicles in question. It is



further submitted that petitioner is the driver of the car in question but he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 12.05.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 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 Paharpur P.S. Case No. 235 of 2025.

(Rudra Prakash Mishra, J)

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