

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52213 of 2025**

Arising Out of PS. Case No.-77 Year-2025 Thana- BHAIKAVSHTHAN District- Madhubani

1. Mithilesh Kumar Yadav @ Mithlesh Kumar Yadav S/o- Eskila Yadav R/o - Mahdeva, P.S - Laukahi, District - Madhubani, Bihar
2. Pawan Kumar Ram S/o- Shiv Charan Das R/o - Thadhi, P.S - Laukahi, District - Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 06-08-2025 Heard Mr. Sanjay Kumar Jha, learned counsel for the petitioners and Mrs. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Bhairavsthan P.S. Case No. 77 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 468 liters liquor was recovered from Scorpio car and the petitioners were apprehended on spot.

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



have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners are not owner of the car in question rather petitioner no. 1 is driver of the car and petitioner no. 2 took lift from petitioner no. 1 and both of them have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioners are in custody since 14.06.2025 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhairavsthan P.S. Case No. 77 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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