

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59267 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- KATIHAR MUFFASIL District- Katihar

Bhola Yadav @ Bhola Prasad Yadav Son of Sushil Kumar Yadav R/o Village -
Sri Nagar, P.S. - Ranipatra, Dist. - Purnea, at present residing of Rautara(Sri
Nagar), P.S. - Rautara, Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

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

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

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muffasil PS Case No. 123 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 195.960
litres of foreign liquor was recovered from two Tempo.

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 petitioner is neither the owner nor the driver of the seized
vehicles. It is further submitted that the name of the petitioner



has transpired on the basis of confessional statement of apprehended co-accused person namely, Sukesh Kumar. The petitioner is in custody since 28.07.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Similarly situated other co-accused person has been granted regular bail by this Court vide order dated 14.08.2025 passed in Cr. Misc. No. 54978 of 2025.

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 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 Muffasil PS Case No. 123 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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