

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72732 of 2025

Arising Out of PS. Case No.-154 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Amarjit Yadav @ Chuha S/O Ashok Yadav Resident of Vill.- Siswa, P.S.-
Vishambharpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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

ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Vishambharpur P.S. Case No. 154 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, total 205 liters liquor was recovered from motorcycle and bushes near a dam.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. No incriminating material has been recovered from the conscious possession of



the petitioner. The petitioner was not apprehended on the spot and his name has surfaced in this case on the basis of the confessional statement of the co-accused Bittu Kumar. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner further submits that the alleged recovery has been made from an open place which is easily accessible to public at large. The petitioner is in custody since 29.07.2025 and has got four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. He further submits that the co-accused Bittu Kumar has already been granted bail by this Court vide order dated 20.01.2025 passed in Cr. Misc. No. 826 of 2025.

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, the period of custody undergone by the petitioner as also the prayer for bail based on parity, 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 Vishambharpur P.S.



Case No. 154 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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