

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73779 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- BUXAR INDUSTRIAL District- Buxar

1. Shivji Yadav S/O Ram Naresh Yadav R/O Village- Ahirauli, P.S- Industrial, Dist.- Buxar.
2. Sultan Darji S/O Ohaw Darji R/O Village- Ahirauli, P.S- Industrial, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate
For the Opposite Party/s : Mr.Shaheen Begum, A.P.P.

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

ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Buxar Industrial P.S. Case No. 182 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The prosecution case, in short, is that total 124.200 liters liquor was recovered from sac.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has 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 further submitted that the recovery has been made from open place, which is accessible to public at large.



The petitioners are in custody since 26.07.2025. Petitioner no.1 has no criminal antecedent whereas petitioner No.2 has five criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 petitioners, this Court is inclined to grant bail to the petitioner.

7. Let the petitioners 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 Buxar Industrial P.S. Case No. 182 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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