

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73635 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- RAIL P.S. DARBHANGA (JAYNAGAR)
District- Madhubani

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1. Awadhesh Yadav, S/o- Satynarayan Yadav, R/o village - Kharthua, P.S - Sadar, District - Darbhanga, Bihar
 2. Sachchan Kumar, S/o- Upendra Yadav, R/o village - Kharthua, P.S - Sadar, District - Darbhanga, Bihar
 3. Raj Kumar Yadav, S/o- Dinesh Yadav, R/o village - Kharthua, P.S - Sadar, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-10-2025 Heard Mr. Sanjay Kumar Jha, learned counsel for

the petitioners and Mr. Kanhiya Kishor, learned APP for the

State.

2. The petitioners seek regular bail in connection
with Rail Thana Jaynagar P.S. Case No. 45 of 2025 dated
05.09.2025 registered for the offence punishable under section
30(a) of the Bihar Prohibition & Excise Act.

3. The main submissions advanced by petitioners'
counsel are that as per the allegation levelled in the FIR, seven
sacks containing 171 litres of illicit Nepali liquor were
recovered in the northern side of the platform No. 4 of Jaynagar
railway station, though the petitioners were standing near that



place and mainly on that basis, they were suspected by the police and finally made accused in the present matter, which is not a sufficient ground to drag one in such type of alleged recovery. It is further submitted that the petitioner Nos. 1 & 2 bear no criminal antecedent while the petitioner No. 3 bears one criminal antecedent but he is on bail in the said case. It is lastly submitted that all the petitioners have been languishing in jail since 05.09.2025 and there is no independent witness to the alleged recovery despite the same having been made at a platform where ordinarily several passengers remain present.

4. Learned APP appearing for the State has opposed the prayer of the petitioners.

5. Considering the above stated facts and mainly the fair and clean antecedent of the petitioner Nos. 1 & 2, though against the petitioner No. 3, there is one criminal antecedent but the same relates to the offences under the NDPS Act and also taking into account the petitioners' defence in respect of the ground, upon which basis, they have been made accused in the present matter, in my opinion, it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like



amount each to the satisfaction of the court concerned in
connection with Rail Thana Jaynagar P.S. Case No. 45 of 2025.

(Shailendra Singh, J)

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