

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74485 of 2025

Arising Out of PS. Case No.-173 Year-2023 Thana- NOKHA District- Rohtas

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Ramesh Yadav @ Ramesh Kumar Singh S/o Shivnath Singh @ Shivnath
Yadav R/o Village - Nawadih, P.S - Nokha, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Adv.
For the Opposite Party/s : Mrs.Gulnar Begum, APP

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

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nokha
P.S. Case No. 173 of 2023 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act and
Section 25(1-b), 26 of the Arms Act.

3. As per prosecution case, the police has recovered
total 30 liters of illicit country-made liquor as well as one
country made pistol and one live cartridge from the *Khaliyan* of
the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the same has been recovered from open place, accessible to one and all. The petitioner has no concern with the seized articles. The petitioner was not apprehended on the spot rather his name has transpired in this case on the basis of the confessional statement of Mahal Chaukidar. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 04.09.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Nokha P.S. Case No. 173 of 2023, 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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