

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83298 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- LAKHNAUR District- Madhubani

1. Pankaj Kumar Yadav @ Pankaj Kumar S/o Jivachha Yadav R/o Village - Rajakharwar, P.S - Sakatpur, District - Darbhanga
2. Raj Kumar Ram @ Raj Kumar S/o Ram Chandra Ram R/o Village - Rajakharwar, P.S - Sakatpur, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Lakhnaur P.S. Case No. 100 of 2025 instituted for the offences punishable under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 225 litres of liquor was recovered from car.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioners. Learned counsel further submitted that petitioners are not the owner of the vehicle. It is further submitted that petitioner no.1 is the driver of the vehicle in question whereas petitioner no.2 has no concern with the vehicle and is only an associate of petitioner no. 1 and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 05.09.2025 and have one criminal antecedent each. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

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 petitioners.

7. Let the petitioner no. 1 be released on bail, ***after framing of charges, if not already framed*** as also petitioner no. 2 be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhnaur P.S. Case No. 100 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)

Alok Verma/-

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