

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78841 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- PATHAMARI District- Kishanganj

1. Sagar Kumar Yadav S/o Satya Narayan Yadav R/o vill - Joki Hat, P.S.- Joki Hat, Distt.- Araria
2. Subhash Poddar @ Subhash S/o Rama Nand Poddar R/o vill - Bania Tola Joki Hat, P.S.- Joki Hat, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Pathamari P.S. Case No. 30 of 2025 giving rise to Special Case No. 251 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 382.350 liters of foreign liquor was recovered from Car.

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 submits that petitioners are not owner of the seized vehicle. It is also submitted that petitioners were not apprehended on spot. The petitioners are in custody since 06.10.2025. Petitioner no.1 got two criminal antecedents and petitioner no.2 got three criminal antecedents. 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 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 petitioners 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 Pathamari P.S. Case No. 30 of 2025 giving rise to Special Case No. 251 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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