

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79563 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- BHAGWANPUR District- Begusarai

1. Nikil Kumar Yadav @ Nikhil Yadav S/o Fulena Yadav Resident of - Chandour, Ward No. 10, P.S - Bhagawanpur, District – Begusarai
2. Shakti Yadav S/o Fulena Yadav Resident of - Chandour, Ward No. 10, P.S - Bhagawanpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, APP

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

ORAL ORDER

2 25-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Bhagwanpur P.S. Case No. 291 of 2025 instituted for the offences punishable under Sections 30(a), 30(c), 30(d), 35(a), 36 of the Bihar Prohibition and Excise Act and Sections 274, 275, 286, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total 20.220 litres of foreign liquor, 30 litres of country-made liquor, 145 bottles (100ml each) containing homeopathic dilution, gas stove



etc. were recovered behind the house of the petitioners.

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 rather the recovery has been made behind the house of the petitioners which is an open place, accessible to public at large. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 01.10.2025. Petitioner no. 1 has no criminal antecedent whereas petitioner no. 2 has two criminal antecedents but he is on bail in those cases. 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 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 Bhagwanpur P.S.



Case No. 291 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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