

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82770 of 2025

Arising Out of PS. Case No.-319 Year-2025 Thana- MAHISHI District- Saharsa

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1. Jay Bhagwan Yadav S/o Ramvidesh Yadav @ Ram Videsh Ray Resident of Village - Laxmanpur, P.S. - Bahera, District - Darbhanga
 2. Pradeep Kumar S/o Singheshwar Sah Resident of Village - Laxmanpur, P.S. - Bahera, District - Darbhanga

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Mahishi P.S. Case No. 319 of 2025, instituted for the offences punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 396 liters 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. The petitioners No.1 is the driver of the vehicle and petitioners No.2 is passenger. The petitioners have no knowledge about goods loaded on the vehicle. The petitioners are in custody since 26.09.2025 and has got no criminal antecedent. 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 No.1 namely Jay Bhagwan Yadav be released on bail, ***after framing of charge, if not already framed***, and petitioners No.2 namely Pradeep Kumar 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 Mahishi P.S. Case No. 319 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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