

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83453 of 2025

Arising Out of PS. Case No.-491 Year-2025 Thana- EXCISE BAGHA District- West
Champaran

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1. Ravi Yadav Son of Ram Sanehi Yadav Resident of Village- Sohani (Gram Panchayat), P.S.- Kaptanganj, District- Kushinagar (U.P.)
 2. Basudev Yadav @ Basudevi Singh @ Basudev Singh Son of Late Rampratap Singh Resident of Village- Sohani (Gram Panchayat), P.S.- Kaptanganj, District- Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, 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 Bagaha Excise P.S. Case No. 491 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 total 388.8 litres of liquor was recovered from pickup.

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 is the co-driver and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 05.10.2025 and have no criminal antecedent. 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 Bagaha Excise P.S. Case No. 491 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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