

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84391 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- Naya Bhojpur District- Buxar

Lutan Yadav @ Mutan Yadav @ Bhutan Yadav Son of Ramashray Yadav
Resident of Village- Naya Bhojpur, P.S.- Naya Bhojpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rang Nath Choubey, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in Naya Bhojpur P.S. case
No. 102 of 2025 instituted for the offences under Sections 30(a)
and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 80 liters liquor
was recovered from plastic box and the petitioner was arrested
on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is



further submitted that the recovery has been made from an open place accessible to public at large. The petitioner is in custody since 23.10.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Naya Bhojpur P.S. case No. 102 of 2025.

(Rudra Prakash Mishra, J)

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