

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83853 of 2025

Arising Out of PS. Case No.-719 Year-2025 Thana- FATEHPUR District- Gaya

Akhilesh Kumar @ Akhilesh Yadav @ Akalesh Kumar @ Akalesh Yadav Son
of Ramchandra Yadav @ Shree Ram Chandar yadav @ Ramchandra Resident
of Village -Dharharakala P.S.-Fatehpur District -Gaya ji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 04-12-2025 Heard Mr. Prithivi Raj Singh, learned counsel for

the petitioner and Mr. Choubey Jawahar, learned APP for the

State.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 719 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 100 liters
liquor was recovered from plastic bag behind a hotel 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. Learned counsel for the petitioner also submits that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. It is further submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 02.11.2025 and has got one criminal antecedent in which he is on bail. 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fatehpur P.S. Case No. 719 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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