

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85264 of 2025

Arising Out of PS. Case No.-282 Year-2025 Thana- BHELDI District- Saran

Rajesh Kumar Yadav S/O Mahendra Rai R/O Village- Bayadih, P.S- Saraiya,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kanchan Kumari, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 10-12-2025 Heard Ms. Kanchan Kumari, learned counsel for the
petitioner and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with Bheldi
P.S. Case No. 282 of 2025 instituted for the offences punishable
under Sections 315(5), 3(5) of the BNS and Sections 30(a),
41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 555.780
litres of liquor was recovered from truck.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the vehicle. It is further submitted that petitioner is the driver of the vehicle in question but he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 28.10.2025 and has 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 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, ***after framing of charge, if not already framed***, 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 Bheldi P.S. Case No. 282 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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