

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87894 of 2025

Arising Out of PS. Case No.-394 Year-2025 Thana- JAYNAGAR District- Madhubani

Shyam Kumar Yadav Son of Indradev Yadav Resident of Village -
Maniyarwa, P.S. - Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar @ Ashok Karn, Advocate
For the State : Mr. Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Jay
Nagar PS Case No. 394 of 2025 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act and
Sections 274, 275 & 317(5) of the Bharatiya Nyaya Sanhita,
2023.

3. The prosecution case, in short, is that 135 liters
Nepali liquor was recovered from motorcycle.

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 submitted that petitioner is the owner of the motorcycle and in this connection, it is submitted that recovery is planted by the police party. The petitioner is in custody since 14.11.2025 and has got one criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 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 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 Jay Nagar PS Case No. 394 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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