

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1616 of 2026

Arising Out of PS. Case No.-360 Year-2024 Thana- BALIYA District- Begusarai

1. Manish Yadav @ Manish Kumar S/o Saudagar Yadav R/o Village-Lakhminiya Dom Toli, PS- Ballia, District- Begusarai
2. Mukesh Kumar Yadav @ Mukesh Kumar @ Mukesh Yadav S/o Tuna Yadav R/o vill - Lakhminiya, Dom Toli, P.S.- Ballia (Baliya), Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Ballia PS Case No. 360 of 2024 instituted for the offences under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 60 liters of country made liquor was recovered from the lichi orchard.

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



counsel for the petitioners submit that the recovery has been made from an open place which is accessible to one and all and the name of these petitioners have transpired in this case during the course of investigation and they were not initially named in the FIR. The petitioners are in custody since 16.12.2025 and have got one criminal antecedent. 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 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ballia PS Case No. 360 of 2024.

(Rudra Prakash Mishra, J)

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