

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5429 of 2026

Arising Out of PS. Case No.-563 Year-2025 Thana- BHORE District- Gopalganj

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Durgesh Yadav S/o Ramashish Yadav Resident of village- Tiwari Chakiya,
PS- Bhore, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bhorey
PS Case No. 563 of 2025 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act and
Section 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 126 liters
liquor was recovered from two motorcycles.

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 not the owner of the motorcycle and he has no concern with the same. The petitioner is in custody since 07.12.2025 and has got four 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 Bhorey PS Case No. 563 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)

Raj Kishore/-

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