

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12411 of 2026

Arising Out of PS. Case No.-394 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

Mohit Yadav @ Upendra Yadav Son of Paras Yadav Resident of Village -
Badahra, P.S. - Durgawati, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sonu Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction at paragraph nos. 5 and 6 of the bail
application in course of day.

3. The petitioner seeks bail in connection with
Durgawati P.S. Case No. 394 of 2025, instituted for the offences
punishable under Sections 30(a) and 45 of the Bihar Prohibition
and Excise Act.

4. The prosecution case, in short, is that 80 liters
liquor was recovered from motorcycle and the petitioner was
arrested on spot.



5. 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 submitted that the petitioner has been arrested only on the basis of suspicion. It is further submitted that the petitioner is not the owner of the motorcycle in question. The petitioner is in custody since 12.01.2026 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. 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 Durgawati P.S. Case No. 394 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)

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