

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12565 of 2026**

Arising Out of PS. Case No.-257 Year-2025 Thana- BARGAINIA District- Sitamarhi

Shyambabu Yadav @ Shyambabu Kumar S/O Awadhkishore Yadav Resident
of Village - Masaha Alam, ward No.- 03, P.S- Bairgania, Dist- Sitamarhi-
843313

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, 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. The petitioner seeks bail in connection with
Bairgania P.S. Case No. 257 of 2025, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 288 liters
liquor was recovered from two motorcycles and the petitioner
was arrested on spot.

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. Learned counsel for the petitioner also submitted that the petitioner is not the owner of any of the recovered motorcycles in question. It is further submitted that the petitioner was a passerby of that way and was arrested only on the basis of suspicion. The petitioner is in custody since 27.12.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 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 Bairgania P.S. Case No. 257 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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