

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32028 of 2026

Arising Out of PS. Case No.-146 Year-2026 Thana- MIRGANJ District- Gopalganj

Mukesh Kumar Yadav @ Bhola, S/o Ramgati Yadav, R/o Village- Siyadi
Garh, PS- Siwan Mufasil, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Shukla, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2026

1. Heard the parties

2. The petitioner seeks regular bail in connection with
Mirganj P. S. Case No. 146 of 2026 registered for the offence
punishable under Section 317(5) of the BNS and Section 30(a)
of Bihar Prohibition and Excise Amendment Act.

3. The main submissions advanced by the petitioner's
counsel are that the petitioner is innocent and has been falsely
implicated in the present case and the alleged recovery has not
been made from conscious possession of the petitioner and
further the prosecution itself alleges that the liquor was
recovered from sacks kept near motorcycles and the motorcycle
in question does not belong to the petitioner and there is no
material on record to establish nexus of the petitioner with the
alleged seized liquor and he has been languishing in jail since



08.03.2026. Learned counsel further submits that no independent witness of locality has supported the alleged seizure.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the statements made in the petition as well as above submissions, coupled with the nature of allegation and period of custody, this court is inclined to grant the relief of bail to the petitioner, accordingly, let the petitioner named-above be enlarged on bail in connection with Mirganj P. S. Case No. 146 of 2026 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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