

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41460 of 2026

Arising Out of PS. Case No.-393 Year-2025 Thana- LADANIA District- Madhubani

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Durgesh Yadav @ Durgesh Kumar Yadav @ Durgesh Kumar S/o Sunil Yadav
@ Sunil Kumar Yadav R/o Village - Bishanpur, P.S - Ladania, District -
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti
For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-07-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 274, 275 and 3(5) of the
B.N.S. and Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner is in custody since 01.12.2025 and has antecedent
of seven cases out of which five cases are under the Excise Act
and allegation is of recovery of 216 litres of liquor from a
motorcycle and 540 litres of liquor from a car.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of



any of the seized vehicle and he came to be implicated based on confessional statement of Jai Prakash in police custody which does not have any evidentiary value. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation.

5. Learned A.P.P. Sri Rabindra Kumar opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ladania P. S. Case No.393 of 2025.

7. The application stands allowed.

(Satyavrat Verma, J)

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