

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90208 of 2025

Arising Out of PS. Case No.-714 Year-2025 Thana- Excise P.S. District- Gopalganj

Nihal Kumar Yadav Son of Mansi Yadav Resident of village - Nautan Ahir
Toli, P.S.- Nautan, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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

ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gopalganj Excise P.S. Case No. 714 of 2025, instituted for the
offences punishable under Sections 30(a) and 32 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 126 liters
liquor was recovered from motorcycle 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 submits that the petitioner is not the owner of the motorcycle in question rather he was a passerby of that way and was arrested only on the basis of suspicion. The petitioner is in custody since 27.10.2025 and has got one criminal antecedent in which he is on bail. 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 Gopalganj Excise P.S. Case No. 714 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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