

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89517 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- RUDRAPUR District- Madhubani

1. Raju Yadav @ Raju Kumar Son of Brahmdeo Yadav Resident of Village- Harari (Harri) Tole Kauhahi, Ward No. 13, P.S.- Rudrapur, District- Madhubani
2. Gopal Kumar Yadav @ Gopal Yadav Son of Brahmdeo Yadav Resident of Village- Harari (Harri) Tole Kauhahi, Ward No. 13, P.S.- Rudrapur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in connection with Rudrapur PS Case No. 128 of 2025 instituted for the offences under Sections 274 & 275 of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1.5 litres of liquor was recovered from Scorpio. It is further alleged that 78.75 liters liquor recovered from mango orchard.

4. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. The names of the petitioners transpired in this case on the basis of disclosure made by apprehended co-accused person. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. The petitioners have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioners, therefore, contends that prima-facie no case is made out against the petitioners. Other co-accused has been granted bail by this Court vide order dated 04-12-2025, passed in Cr. Misc. No. 83134 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rudrapur PS Case No. 128 of 2025, subject to the conditions as laid down



under Section 482(2) of the Bharatiya Nagarika Suraksha
Sanhita, 2023.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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