

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92013 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- TERHAGACHH District- Kishanganj

Gopi Kumar Yadav S/O Pawan Kumar Yadav @ Pawan Lal Yadav Resident
of Village - Dhaweli Ward No.02, Police Station- Terhagachh, District-
Kishanganj (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in Tedhagaach
(Tedhagachh) P.S. case No. 149 of 2025 instituted for the
offences under Sections 317(5) and 3(5) of Bharatiya Nyaya
Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 171 liters
liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to animosity with the co-accused. 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. It is further submitted that the name of the petitioner has transpired on the basis of disclosure made by apprehended co-accused. The petitioner is in custody since 07.10.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. 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, clean antecedent 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tedhagaach (Tedhagachh) P.S. case No. 149 of 2025.

(Rudra Prakash Mishra, J)

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