

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5391 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- Raghunathpur Excise District- Siwan

Mantu Yadav @ Darmendra Yadav S/O Devnandan Yadav R/O Village-
Dahbari, Sultanganj, P.S- Aadar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Tiwari, Advocate
For the State : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Raghunathpur Excise P.S. Case No. 170 of
2024, registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per allegation, there is recovery of 414.720 litre
of illicit liquor from bag near the Kabragah.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that recovery is not made out from the
house of the petitioner or from his conscious possession. Hence,
no prima facie case is made out and the present petition is
maintainable and the petitioner is entitled to get anticipatory



bail.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has three criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Court-cum-Special Excise Court No.II, Siwan, in connection with Raghunathpur Excise P.S. Case No. 170 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing



him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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