

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10469 of 2025

Arising Out of PS. Case No.-201 Year-2024 Thana- RAHIKA District- Madhubani

Lalan Yadav, aged about 32 years (Male), Son of Jai Prakash Yadav, Resident of Village- Kamalpur, P.S.- Rahika, Distt.- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party : Mrs. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Rahika P.S. Case No. 201 of 2024 dated 18.09.2024, corresponding to G.R. No. 1321 of 2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 121.500 litres of Nepali country made liquor is said to have been recovered from the orchard.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He was not arrested on the spot. His name has



surfaced in the present case on the basis of disclosure made by the Mahal Chaukidar and the spy. It has been submitted that the alleged illegal liquor was recovered from the orchard but the name of the owner of the said orchard has not been disclosed in the F.I.R. which falsifies the prosecution case. The petitioner is not the owner of the illegal liquor and the orchard in question. There is no statutory compliance of Sections 103(4)(8) of B.N.S.S., 2023. No incriminating article has been recovered from his possession. He has no concern with the alleged offence. It is further submitted that the other co-accused person, namely, Rudal Yadav @ Rahul Yadav, has already been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 80124 of 2024 under order dated 20.11.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 09.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of the learned Additional District and Sessions Judge-2nd-cum-Special Judge, Excise Act, Madhubani in connection with Rahika P.S. Case No. 201 of 2024, corresponding to G.R. No. 1321 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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