

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10109 of 2025

Arising Out of PS. Case No.-501 Year-2024 Thana- NOORSARAI District- Nalanda

Bhisam Yadav @ Bhishm Yadav Son of Late Jagdeo Yadav R/o - Malbigha,
P.S - Noorsarai, District - Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pankaj Kumar, Advocate
For the State	:	Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Excise Case No.2142 of 2024 arising out of Noorsarai P.S. Case No. 501 of 2024 dated. 27.10.2024, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, there is recovery of 45 liters of liquor from open space near the village Malbigha.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He also submits that



there is no material available on record which could connect the petitioner with the alleged offence.

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 petition that the petitioner has been made accused in three other cases.

7. However, learned 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 learned Additional District and Sessions Judge-IVth-cum-Special Judge Excise-II, Nalanda at Bihar Sharif, in connection with Excise Case No.2142 of 2024 arising out of Noorsarai P.S. Case No. 501 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following



conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned 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, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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