

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10457 of 2025

Arising Out of PS. Case No.-278 Year-2023 Thana- YADOPUR District- Gopalganj

Dharmendra Yadav @ Dharmendra Kumar Yadav S/o Bhikham Yadav R/o
Village- Durg Matihania, P.S- Vishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 28-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. A perusal of the first information report and the seizure list would go to show that 266.31 liters of foreign liquor has been recovered from a boat.

4. Learned counsel for the petitioner submits that the name of the petitioner surfaced in this case on the ground of secret information. It has also been submitted that no recovery has been made from the physical or conscious possession of the petitioner and the mandatory provisions of the Cr.P.C. have also been violated as the seizure list has not been signed by any independent witness.

5. Learned APP submits that the petitioner has three



criminal antecedents of the same nature. In response, learned counsel for the petitioner submits that the petitioner has already been granted bail in two cases.

6. Taking into consideration the facts and circumstances, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Jadopur P.S. Case No.278 of 2023, subject to the condition as laid down under Section 482 (2) of the B.N.S.S. and subject to the further condition that:-

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay, preferably within a period of two weeks.

(Soni Shrivastava, J)

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