

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15175 of 2025

Arising Out of PS. Case No.-118 Year-2024 Thana- BELDOUR District- Khagaria

Nirmal Yadav @ Nirmal Yadav Son of Suleman Yadav Resident of Village-
Pirangara, PS- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-04-2025 Heard the parties.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Beldour P.S. Case No. 118 of 2024, registered for the offences punishable under Sections 25(1-B),a, 26, 35 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. In course of patrolling, the police intercepted three persons, who were riding on a Pulsor motorcycle, however, noticing the police party, one of the co-accused persons succeeded in fleeing away whereas two persons, namely, Gautam Kumar and Govind Kumar were apprehended. The apprehended persons disclosed the name of Saurav Sada, who fled away. It is further alleged that based upon the disclosure, the police also



raided the maize field where 10 litres illicit liquor along with some utensils were recovered. The petitioner is one of the person who is said to be involved in manufacturing of illicit wine.

4. Learned Advocate for the petitioner contended that the material available on record clearly suggests that the recovery has been made from the field of Pappu Yadav and the petitioner has no concern either with the manufacturing of illicit wine or with the field from where recovery has been made. Save and except the disclosure made by the apprehended persons, there is no iota of evidence suggesting the complicity of the petitioner. Moreover, the petitioner is in custody since 05.12.2024 and investigation of the crime is complete and the charge sheet has been submitted. Other co-accused persons whose names were disclosed by the co-accused persons, they have been enlarged on bail by this Court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the criminal antecedent as has been narrated in paragraph-3 which clearly suggests that he is involved in four other criminal cases which speaks loud regarding his involvement in the crime.

6. Regard being had to the submissions made on



behalf of the parties and considering the nature of allegation and the fact that the investigation of the crime is complete and the charge sheet has been submitted, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of court of the learned Special Excise Judge-2nd, Khagaria in connection with Beldour P.S. Case No. 118 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the



court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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