

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20078 of 2025

Arising Out of PS. Case No.-86 Year-2024 Thana- WARISLIGANJ District- Nawada

Jamahir Yadav @ Javahir Yadav, S/o Baldev Yadav, Resident of Village-Sheikhpurawa, P.S.- Warisaliganj, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate.

For the State : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-04-2025 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 Warisaliganj P.S. Case No. 86 of 2024 dated 24.02.2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. As per allegation, total 30 litres of illicit liquor has been recovered from a public place situated near Narbanwa *Bandh* at the distance of 1 km from the Sheikhpurwa village. It is further alleged that the accused are alleged to have seen fleeing away from the place of recovery.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the recovery has not been made either from personal possession or from the house of the petitioner. He also submits that the place from where the recovery is made, is accessible to public at large and the petitioner has no concern 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 another case.

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 concerned court below in connection with Warisaliganj P.S. Case No. 86 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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