

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20593 of 2025

Arising Out of PS. Case No.-308 Year-2022 Thana- Excise P.S. District- Madhepura

Mantu Yadav son of Late Haribol Yadav Resident of Village -Bhelba/ Bhelwa,
Ward No.01, P.S. -Gambhariya, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025 Heard the parties

2.The petitioner is named in the F.I.R.
and apprehending his arrest in connection with
Madhepura Excise P.S. Case No. 308 of 2022
registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. The allegation against the petitioner
is to be engaged in illegal
trading/manufacturing of illicit liquor, where,
there is recovery of 270 litres of IMFL/country
made liquor

4. It is submitted by learned counsel



appearing on behalf of the petitioner that recovery of alleged illicit liquor was made from a house which was constructed by this petitioner for storing husk. It is pointed out that aforesaid store room located in an open place accessible by general public and therefore it can be said safely that recovery was not made from the conscious physical possession of this petitioner. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly above-named petitioner, in the event of his arrest or surrender before the court below within a



period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge – VII cum Special Judge Excise II, Madhepura /concerned Court, where the case is pending in connection with Madhepura Excise P.S. Case No. 308 of 2022, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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