

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24402 of 2025

Arising Out of PS. Case No.-162 Year-2024 Thana- ANDHRAMATH District- Madhubani

Nand Kishor Yadav @ Nand Kishor Kumar Yadav, Male, aged about 25 years,
Son of Chandravir Yadav, Resident of Village - Hariraha, P.S. - Andhramath,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-05-2025 Heard Mr. Arvind Kumar learned counsel appearing
on behalf of the petitioner and Mr. Ajit Kumar, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Andhramath P.S. Case No. 162 of 2024 registered for the
offence(s) punishable under Sections 247, 275, 3(5) of BNS and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, altogether
88.8 litres of illicit liquor was recovered near the shop of the
grandfather of the petitioner and from a motorcycle, which was
parked there.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. He further submitted that recovery of illicit liquor has been made from outside of the shop of the grandfather of the petitioner, which is easily accessible by anyone. Petitioner is neither the owner of the seized motorcycle nor he has any connection with the alleged seized liquor. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR and recovery of illicit liquor has been made from an open space, which is easily accessible by anyone, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court 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 learned In-charge, Special Judge, Excise Act, Jhanjharpur, Madhubani / Concerned Court in connection with Andhramath P.S. Case No. 162 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. Further, it is made clear that in case it is found that the motorcycle in question is a stolen one, then in that case also, this order will automatically lose its force.

(Purnendu Singh, J)

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