

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24649 of 2025**

Arising Out of PS. Case No.-60 Year-2025 Thana- LADANIA District- Madhubani

Chandan Kumar Yadav S/O Vinod Yadav R/O Village- Lagdi, P.S- Ladaniya,  
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Kumari Pallavi

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      02-05-2025      Heard the parties.

2. At the outset, learned Advocate for the petitioner seeks permission to strike off the incorrect typographical error in paragraph-4 of the bail petition.

3. Permission is accorded.

4. Let the same be done during course of the day.

5. The petitioner apprehends his arrest in connection with Ladania P.S. Case No. 60 of 2025, registered for the offences punishable under Sections 274, 275 of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

6. The police in course of vehicle checking tried to intercept the rider, who was coming on a Glamour motorcycle bearing registration No. BR32AB-2029, however noticing the police party the rider of the motorcycle succeeded in fleeing



away after leaving the motorcycle. In course of search, altogether 99 litres country made liquor was recovered. The local Chowkidar disclosed the name of the petitioner.

7. Ms. Kumari Pallavi, learned Advocate for the petitioner submitted that the petitioner has neither any concern with the motorcycle in question nor with the recovered illicit wine. The disclosure of the name of the petitioner by the local Chowkidar does not inspire confidence for the simple reason that he was not knowing the petitioner from before. It is further contended that there are infirmities in search and seizure, apart from non compliance of Section 103 and 104 of the BNSS, 2023 as well as Section 82 of the Bihar Prohibition and Excise Act, 2016. In fact only on account of two past criminal antecedent of identical nature, the name of the petitioner came to be implicated. Nothing has been recovered from the whereabouts of the petitioner.

8. On the other hand, learned Advocate for the State opposes the bail application.

9. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner has no concern with the motorcycle in question, coupled with the infirmities in search and seizure as also the fact that during



the course of investigation no material has collected which attracts the rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Madhubani in connection with Ladania P.S. Case No. 60 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Anjani/-

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