

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25835 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- MADHUBAN District- East Champaran

Awadh Rai @ Avadh Kishor Yadav S/o Late Bhola Rai Resident of village -
Kauriya Yadav Tola, P.s.- Madhuban, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhuban P.S. Case No. 55 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 471.75 liters of illicit foreign liquor from the straw-house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The name of the petitioner has surfaced in this case on the basis
of the disclosures made by the local Choukidar. He further
submits that nothing incriminating has been recovered from the



conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not the owner of the straw-house. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 13.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhuban P.S. Case No. 55 of 2025.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

