

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29169 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- CHAUTHAM District- Khagaria

Kundan Yadav @ Kundan Kumar S/o Jay Jay Ram Yadav Resident of
Village- Shisihwa (Siswa), Ward No. 08 (Sarsawa), P.S.- Chautham, District-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Chautham P.S. Case No. 63 of 2025, dated
13.03.2025 registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per allegation, 5.160 litre of illicit liquor has
been recovered from the house of the petitioner.

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 petitioner is a college student
and has been doing B.ED from Satya Sai University, Bhopal and
he had come to the village during holiday. He further submits



that the petitioner is aged about 24 years and if the he is not enlarged on anticipatory bail, his career will be spoiled. He further submits that the petitioner's house is a joint family property where many persons live.

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 bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly the fact that the house is a joint family property and the petitioner is a young student and doing B.ED, **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 learned concerned Court Below, in connection with Chautham P.S. Case No. 63 of 2025, subject to the conditions as laid down under Section 482



(2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, 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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