

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31008 of 2025

Arising Out of PS. Case No.-88 Year-2023 Thana- UCHKAGAON District- Gopalganj

Nitish Yadav @ Nitesh Yadav S/o Haresh Yadav R/o Village- Bhagwan Tola,
PS- Uchkagaon, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2025 Heard Mr.Vyas Kumar Mishra learned counsel for the
petitioner and Ms.Pronoti Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.02.2025 in connection with Uchkagaon P.S. Case No.88 of
2023, F.I.R. dated 18.03.2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2022.

3. Recovery is of 63 liters of Banti Babli country
made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case on the basis of the disclosure made by the local
Chaukidar. It appears from the FIR as well as seizure list that
nothing has been recovered from conscious possession of the



petitioner rather the recovery has been made near the Bridge and petitioner has no concern at all with the alleged recovery of illicit liquor and the petitioner is in custody since 04.02.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one but he fairly submits that out of four cases, the petitioner is on bail in two cases, and rest two cases are pending for consideration, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Special Judge-I, Gopalganj in connection with Uchkagaon P.S. Case No.88 of 2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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