

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31854 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- CHHATAPUR District- Supaul

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Amit Yadav @ Amit Kumar S/o Babunand Yadav R/O Village- Ward No. 4,
Dahariya, P.S- Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Chhatapur P.S. Case No. 63 of 2025 registered for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about petitioner and co-accused selling illicit liquor from their house. A raid was conducted and from the house of this petitioner, recovery of 11.250 litres of Nepal made foreign liquor was made.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The recovery has not been made from the house of the



petitioner as it apparent from the FIR as it has been mentioned that the recovery was made from one store of straw behind the house of the petitioner and the same straw storage house does not belong to the petitioner. The petitioner has no concern from the place from where the recovery has been made. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that recovery has not been shown from the conscious possession of this petitioner as there is denial of the ownership of the place from where the recovery has been made and further considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Supaul/concerned court in connection with Chhatapur P.S. Case No. 63 of 2025, subject to the condition as laid down under



Section 482(2) of the B.N.S.S. and other following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

7. However, before accepting the bail bonds of the petitioner, the learned trial court will verify the criminal antecedent of the petitioner and if it is found that the petitioner has criminal antecedent, the bail bonds will not be accepted.

(Arun Kumar Jha, J)

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