

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32584 of 2025**

Arising Out of PS. Case No.-558 Year-2024 Thana- TURKAULIYA District- East  
Champaran

Raj Kumar Yadav S/o Hiranman Yadav @ Hiranman Rai Resident of village -  
Jaisinghpur Chiutahi, P.s.- Turkauliya, Distt.- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv.  
For the State : Mr. Umesh Lal Verma, APP.

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      21-05-2025      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the  
offences punishable u/s 30(a), 41(1) of the Bihar Prohibition &  
Excise Act.

3. The recovery of total 220 litres of spirit has been  
shown from the bamboo orchard of one Bharat Rai.

4. Learned counsel for the petitioner submits that the  
name of the petitioner has transpired in this case on the basis of  
secret information and none has identified him as the one being  
present at the place of occurrence or making an attempt to flee  
away from the spot. It is further submitted that he has no  
concern either with the seized liquor or any trade of liquor. He



was not apprehended on the spot. No recovery was made from his physical or conscious possession. It is further submitted that the process of search and seizure also amounts to violation of the mandatory provisions as there is no independent witness to the said seizure. It is next submitted that the petitioner has been languishing in custody since 12.03.2025.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has five criminal antecedents of similar nature. However, in response to the same, it is submitted on behalf of the petitioner that the petitioner is on bail in all five cases and merely on account of the criminal antecedents, he has been made accused in the present case.

6. Considering the above-mentioned facts and circumstances, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Turkauliya P.S. Case No. 558 of 2024, subject to the following conditions that:

(I) One of the bailors will be a family member or a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related to the petitioner.

(II) The petitioner shall cooperate in the investigation/trial.



(III) The learned Court below would verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the learned Court below shall take step for cancellation of bail bonds of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

**(Soni Shrivastava, J)**

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