

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33062 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- KAUWAKOL District- Nawada

Navin Yadav S/O- Umesh Yadav Resident of Vill- Guri Ghat, P.S.- Kawakol,
Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Kawakol P.S. Case No. 30 of 2025 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 200 liters of country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that as



per seizure list the recovery of illicit liquor was made from a road side which is an open place and accessible by general public therefore it can be safely said that recovery of illicit liquor was not made from the physical possession of this petitioner. It is further pointed out that petitioner found involved in one more criminal case of similar nature where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner rather from an open place, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Exclusive Special Judge Excise 2, Nawada/ concerned Court, where the case is pending in connection with Kawakol P.S. Case No. 30 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS., subject to further condition:-

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J)

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