

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34038 of 2025

Arising Out of PS. Case No.-387 Year-2021 Thana- NAWADA District- Nawada

Arvind Yadav @ Aravinda Yadav S/o Late Chhotan Yadav Resident of
Village- Gondapur, P.S.- Nawada (Nagar), District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2025 Heard Mr. Man Mohan Kumar, learned counsel for
the petitioner and Mr. Shyameshwar Dayal, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.09.2022 in connection with Nawada (Nagar) P.S. Case No.
387 of 2021, F.I.R. dated 03.04.2021 for the offences
punishable under Sections 33, 34, 36 of the Bihar Prohibition
and Excise Act, 2016.

3. Recovery is of 200ml liters of liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.



as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from a vacant land situated at eastern side of the house of Ramswaroop Yadav and name of the petitioner has been transpired on the basis of confessional statement of co-accused person, namely, Manti Devi and except the confessional statement of co-accused person, no other cogent material is available against the petitioner which suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused person, namely, Kaushal Yadav has been granted bail by this Court vide order dated 11.07.2023 in Cr.Misc.No. 11797 of 2023 and other similarly situated co-accused persons have been granted bail by different co-ordinate Benches of this Court. He further submits that the petitioner has no concern at all with the alleged recovery of the illicit liquor. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 20.09.2022.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and apart from that petitioner carries nineteen criminal antecedents of similar



nature but fairly submits on the basis of paragraph-3 of the bail application that out of nineteen cases, the petitioner is on bail in three cases.

6. Considering the aforesaid facts and circumstances and the period of custody, 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 the learned Exclusive Special Excise Judge-1st, Nawada in connection with Nawada (Nagar) P.S. Case No. 387 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

Suruchi/-

U		T	
---	--	---	--

