

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34648 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- MANSI District- Khagaria

Mukesh Yadav S/o Suresh Yadav Resident of vill- Ekania, PS- Mansi,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 Heard Mr. Santosh Kumar Singh, learned counsel for

the petitioner and Mr. Nagendra Prasad, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Mansi P.S. Case No. 56 of 2025 for the offence under sections 30(a), 30(f) of the Bihar Prohibition and Excise Act lodged on 14.03.2025 by the informant, Khushbu Kumari.

3. As per the prosecution story, the informant alleged that on secret information, the 'Basa' of the petitioner was raided and there is recovery/seizure of 344 liter of codeine cough syrup. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from the 'Basa', not from his house, which is an open place. He does not have criminal



antecedent, in any case, it is below the commercial quantity.

5. Learned APP opposes the prayer submitting that the recovery/seizure is from his Basa.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent, the recovery/seizure is below the commercial quantity, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Judge-1st, Khagaria, in connection with Mansi P.S. Case No.56 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

anand/-

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