

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34284 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- MALAHI District- East Champaran

Nagina Yadav @ Nageena Yadav S/o Late Bhikhari Yadav R/o Village-
Sareya Tola Mathiya, P.S.- Malahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The present Criminal Miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with Malahi P.S. Case No.86 of 2025 lodged on 10.03.2025 under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution, the total recovery of 17.28 litres of illicit liquor have been alleged to be made from straw sack, near the house of the petitioner, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



also submits that the said recovery has been made outside the house of the petitioner. He further submits that petitioner has been falsely implicated in the present case and nothing has been recovered from conscious possession of the petitioner.

5. Learned Counsel further submits that petitioner is in custody since 12.03.2025 having one criminal antecedent.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Special Judge Excise, East Champaran at Motihari in connection with Malahi P.S. Case No.86 of 2025, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J.)

Prakashmani/-

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