

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36011 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- HISUWA District- Nawada

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Bipin Kumar @ Bipin Yadav S/O Rameshwar Yadav Resident of Village-
Shrirampur, Tola Gondra, P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2025 Heard Mr. Man Mohan Kumar, learned counsel for

the petitioner and Mr. Anant Kumar-1, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
06.04.2025, in connection with Hisua P.S. Case No. 35 of 2025,
F.I.R. dated 20.01.2025 registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition & Excise Act,
2016/Amendment Act, 2018 & 2022.

3. Recovery is of 60 litres of *Mahua* wine.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case and the name of the petitioner has been transpired
on the basis of disclosure made by local choudar. 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 recovery has been made in Village Srirampur Godrapar near a bush and he has no concern at all with the alleged recovery of illicit liquor and he has been made accused on the basis of disclosure made by local choudidar. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.04.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released 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 learned Exclusive Special Excise, Court-1, Nawada in connection with Hisua P.S. Case No. 35 of 2025, subject to the following conditions :-



(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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)

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