

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44196 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- BAHADURGANJ District- Kishanganj

Sagar Kumar Yadav @ Sagar Yadav S/o Saten Lal Yadav @ Satya Narayan
Yadav R/o Village- Dhanpura Ward No. 4, P.S.- Kokihat, District- Araria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a), 41 and 47 of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the police intercepted a vehicle which was coming from Bengal side and four persons were apprehended and on interrogation, they disclosed that they were going to supply the said liquor to one Sagar Kumar Yadav (petitioner). On search, 287.4 litres of foreign liquor was recovered from the car.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated and admittedly, no recovery has been made from the conscious possession of the petitioner. It is further submitted that the name of the petitioner has transpired on the confessional statement of the apprehended accused person



and even the car from where the said liquor was recovered, does not belong to the petitioner. It is further submitted that the petitioner has one criminal case of similar nature in which he is on bail. The learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the liquor was being supplied to the petitioner who carries one criminal antecedent of similar nature.

6. Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing bail bonds on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Bahadurganj P.S. Case No. 185 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-



(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(Sourendra Pandey, J)

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