

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43743 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- JAYNAGAR District- Madhubani

Arun Yadav @ Prabhat Kumar Yadav S/o Bhogi Yadav Resident of Village-
Akaunha, Ward no 13, PS- Deodha, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-07-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Jaynagar P.S. Case No. 136 of 2025 registered on 26.04.2025 for the offences punishable under Sections 274, 275, 317 (5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, total recovery of 1350 liters illicit Liquor from a pickup van is the subject matter of the present case.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in



the present case. Nothing has been recovered from the conscious physical possession of the petitioner. It is submitted that the name of the petitioner has surfaced solely on the basis of a secret information, which appears to be a result of dirty village politics. In fact, the alleged recovery has been made from a *pick-up van*, with which the petitioner has no concern or connection, either with respect to the seized illicit liquor or the said vehicle. It is further submitted that although the petitioner is an accused in another criminal case, but the said case is not registered under the provisions of the Excise Act.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that the antecedents of the petitioner are not clean and that a huge quantity of illicit liquor has been recovered in the present case.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Jaynagar P.S. Case No. 136 of 2025, pending before the learned Exclusive Special Judge (Excise Court), Madhubani, is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application



on the same day, considering the ingredients of the Excise Act against the petitioner, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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