

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50725 of 2025

Arising Out of PS. Case No.-174 Year-2023 Thana- JAYNAGAR District- Madhubani

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Ajeet Yadav S/o- Late Ganga Yadav Resident of village- Gobrahi PS-
Jaynagar District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-08-2025 Heard learned counsel appearing on behalf of the

parties.

2.The petitioner seeks bail in connection with

Jaynagar P.S. Case No.174 of 2023 registered for the offence

under Sections 272, 273 and 414/34 of the Indian Penal

Code, Section 30(a) and 41 of the Bihar Prohibition and

Excise Act, 2018 and Sections 25(1-b)a, 26 and 35 of the

Arms Act.

3. Petitioner is named in the F.I.R. and is in custody

since 10.03.2025.

4.The allegation against the petitioner is to be

engaged in illegal trade of illicit liquor, where, there is



recovery of 1279.175 litres of illicit liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that name of this petitioner surfaced on the basis of confessional statement of co-accused person, namely, Durgesh Kumar Yadav, where in furtherance of which no incriminating material recovered/ surfaced from the conscious possession of this petitioner. While concluding the argument, it is submitted that petitioner found involved in 14 cases out of which in 13 of case he is on bail and in maximum of case his name transpired on the basis of confessional statement as of the present case otherwise having no evidentiary value. It is further submitted that merely on the ground of criminal antecedents, bail of petitioner ordinarily should not be denied. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of U.P. and Another** reported in **(2020) 11 SCC 648**. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the



evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. In view of aforesaid factual and legal submission and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused, coupled with the fact that prima-facie illicit liquor not appears to be recovered from conscious physical possession of this petitioner where petitioner remains in custody since 10.03.2025, accordingly petitioner above named, is directed to be released on bail in connection with Jaynagar P.S. Case No. 174 of 2023, 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 Judge, Excise Act, Madhubani/ concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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