

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51152 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- RAGHUNATHPUR District- Siwan

Rashendra Yadav Son of Nandji Yadav village- Chhitani Dumari, Ps-
Raghunathpur, Dist- Siwan. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. A perusal of the first information report and the seizure list would go to show that 231 liters of country made liquor has been recovered from the field of one Shri Ram Yadav.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case on the disclosure made by apprehended co-accused, Shailesh Baitha. It is further submitted that no recovery has been made from the physical or conscious possession of the petitioner. The place of recovery is an open place and easily accessible to anyone. The seizure list has not been signed by any independent witness violating the provisions of search and seizure.

5. Learned APP submits that the petitioner has four



criminal antecedents of the same nature to which learned counsel for the petitioner responds that the petitioner has already been granted bail in all the cases.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees 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 Raghunathpur P.S. Case No.79 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./Section 482 (2) BNSS and subject to the further condition that:-

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The court below shall verify the criminal antecedent of the petitioner and in case 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, it is expected that the verification process would be done expeditiously without causing any delay, preferably within a period of two weeks.

(Soni Shrivastava, J)

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