

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53352 of 2025**

Arising Out of PS. Case No.-325 Year-2023 Thana- Excise P.S. District- Madhepura

Akhalesh Yadav @ Tuntun Yadav @ Tirveni Yadav @ Akhilesh Yadav S/o  
Late Mishrilal Yadav R/o Village-Tamout Parsa, P.S.- Murliganj, District-  
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      11-08-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Madhepur Excise PS Case No. 325 of 2023 instituted for the  
offences under Section/s 30(a) of the Bihar Prohibition and  
Excise Act.

3.      The prosecution case, in short, is that 10.200 liters  
country made liquor was recovered from plastic bag.

4.      Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. It is submitted



that recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 22-06-2025 and has got six criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhepur Excise PS Case No. 325 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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