

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53473 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- HARLAKHI District- Madhubani

Nagendra Yadav @ Anik Yadav @ Anik Kumar, Sex-Male, age about 24 years, Son of Naval Yadav, Resident of Village- Umgaon P.S.- Harlakhi, Dist -Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Harlakhi P.S. Case No. 12 of 2025, arising out of G.R. No. 96 of 2025 dated 19.01.2025 registered for the offences punishable under Sections 274, 275 read with Section 3(5) of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 135 litres of illicit Nepali country made liquor kept in three sacks was recovered from two motorcycles in question.

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



this case. It is submitted that the petitioner was not arrested on the spot and his name has come in the present case only on the basis of the confessional statement of the apprehended co-accused person, namely, Shrawan Sahni, which has got no evidentiary value in the eyes of law. The petitioner is not the owner of the motorcycles in question. The petitioner has no concern either with the seized illicit liquor or with the apprehended co-accused person, namely, Shrawan Sahni. The other co-accused person, namely, Shrawan Sahni, has already been granted bail by a Bench of this Court in Cr. Misc. No. 18414 of 2025 vide order dated 09.04.2025. No incriminating article has been recovered from the possession of the petitioner. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 13.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Exclusive
Special Judge, Excise, Madhubani in connection with Harlakhi
P.S. Case No. 12 of 2025, arising out of G.R. No. 96 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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