

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57558 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- SAKRI District- Madhubani

Pawan Kumar Yadav S/o Sogarth Yadav, R/o Village- Sakri Yadav tol, P.S.- Sakri, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo, Advocate. Mr. Rajesh Kumar, Advocate. Mr. Vinod Kumar, Advocate.
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered under Sections 274 and 275 of B.N.S. and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 630 litre illicit country made liquor from an open field situated in the Village Sakri Yadav Tola.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case at the instance of *Dafadar* due to village politics. He further submits that petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. Learned counsel submits that petitioner has no



concern either with the alleged seized liquor or the place from where the recovery has been made as the same has been recovered from an open place which is accessible to public at large. He further submits that similarly situated co-accused, namely, Rahul Kumar Yadav, has been granted regular bail by this Court vide order dated 20.08.2025 passed in Cr. Misc. No.56536 of 2025. Learned counsel submits that petitioner is in custody since 24.06.2025, having six criminal antecedents, out of which four cases belongs to Excise Act and he is on bail in five cases. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the investigation and trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Sakri P.S. Case No.80 of 2025, G.R. No.687 of 2025 with following conditions:-



(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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