

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59939 of 2025

Arising Out of PS. Case No.-481 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

Akash Yadav @ Akash Kumar, Son of Kamlesh Yadav, Resident of Village-
Sirsiya, P.S.- Nautan, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Advocate
For the State : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Siwan Muffasil P.S. Case No.481 of 2025,
dated-29.06.2025, registered for the offences punishable under
Sections 30(a), 41(i) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per allegation, 198 liter of illicit liquor has been
recovered from two motorcycles. As per further case of the
prosecution, two persons were seen to be carrying contraband
on motorcycle and seeing the police they fled away and as per
the statement of the local *chowkidar*, it was the Petitioner who
was riding the motorcycle.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the whole case against the Petitioner is based on suspicion and there is no cogent material against him which could connect him to the alleged offence. He also submits that no *prima facie* case is made out against the petitioner and his anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Siwan Muffasil P.S. Case No.481 of 2025, subject to the



conditions as laid down under Section 482 (2) of the B.N.S.S.,
2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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