

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57800 of 2025

Arising Out of PS. Case No.-387 Year-2021 Thana- NAWADA District- Nawada

Pinku Yadav @ Chandan Kumar S/o- Chhotan Yadav Village- Gondapar PS-
Nawada, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

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

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

ORAL ORDER

4 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nawada
(Town) P.S. Case No. 387 of 2021 instituted for the offences
punishable under Section 33, 34, 36 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 6 empty
pouches of liquor of 200ml has been recovered from the eastern
side of the house of the co-accused Ramswaroop Yadav.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from an open place, i.e. outside the house of the co-accused which is accessible to public at large. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 04.09.2024 and has seventeen criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 as also 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada (Town) P.S. Case No. 387 of 2021, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) Petitioner shall not leave the territorial jurisdiction of the learned court below without taking prior permission of the court concerned.

(V) If the petitioner is found involved in the similar nature of offence in future, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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