

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59849 of 2025**

Arising Out of PS. Case No.-366 Year-2023 Thana- PALASI District- Araria

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Kunal Kumar Yadav @ Kunal Yadav S/O Birendra Biswas R/O Village-
Pothiya, Ward No. 5, P.S-Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 17-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 119.37 litres Indian made
foreign liquor from fire-room just beside the house of co-
accused Pramod Yadav.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case on the basis of disclosure statement made by co-accused
Anukul Kumar, who is on inimical terms with the petitioner.
Nothing has been recovered from conscious possession of the
petitioner. Petitioner has no concern with the seized liquor. The
alleged recovery has been made from the fire room which does
not belong the petitioner. Similarly situated co-accused persons,
namely, Anukul Kumar and Pramod Yadav have already been



granted regular bail by different coordinate benches of this Court vide orders dated 14.03.2024 and 29.11.2024 passed in Cr.Misc.No.19417 of 2024 and Cr.Misc.No.31176 of 2024 respectively. Petitioner has seven criminal antecedents, out of which six are of similar nature in which he is on bail. Petitioner is in jail since 18.12.2023 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioner 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 Exclusive Special Judge, Excise Court II, Araria in connection with Palasi P.S. Case No.366 of 2023 subject to the condition(s) that:

(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 itself;

(ii) 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.

(iii) One of the bailors should be the family member
of the petitioner.

(Sunil Dutta Mishra, J)

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