

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69020 of 2025

Arising Out of PS. Case No.-340 Year-2024 Thana- JAYNAGAR District- Madhubani

Pandav Yadav, Male aged about 40 years, S/o Ramashis Yadav R/o Village -
Kuadh, P.S - Jay Nagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Jaynagar PS. Case No. 340 of 2024 dated 27-11-2024, instituted under Sections 274, 275 and 3(5) of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1,383 litres of illicit *Nepali* country-made liquor was recovered from a mango orchard in the village of Kuwad.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that nothing was recovered from the conscious possession of the petitioner; rather, the illicit liquor was recovered from the mango orchard. It is next



submitted that one Anand Kumar Mahto was apprehended at the spot and disclosed the names of seven persons, including the petitioner. Out of these, two persons, namely, Abhinandan Singh @ Abhinandan Kumar Singh @ Bhulla and Arun Yadav @ Arun Kumar Yadav were granted anticipatory bail by a Co-ordinate Bench of this Court by order dated 01.08.2025, passed in Criminal Miscellaneous Nos. 42969 of 2025 and 46111 of 2025. Lastly, it is submitted that five criminal cases are pending against the petitioner prior to the present case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Act, Madhubani/ successor Court Madhubani, in Jaynagar PS. Case No. 340 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on



his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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