

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64241 of 2025

Arising Out of PS. Case No.-102 Year-2024 Thana- NADI District- Supaul

Sanjeev Kumar Yadav @ Sanjeev Kumar @ Hiralal Yadav S/o Ram Prasad
Yadav, R/o Village- Kauaakhan, Ward No. 03, P.S.- Supaul Nadi Thana
(Reverine P.S. at Mauja Barhara), District- Supaul, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-09-2025 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Supaul Nadi (Reverine P.S. at Mauja Barhara) P.S. Case
No.102 of 2024 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is of involved in
trafficking of illicit wine; the police on a secret information
raided the place of occurrence and recovered 305.1 lts. of illicit
wine from a bamboo orchard situated nearby the house of the
petitioner.

4. Learned Advocate for the petitioner contended that
the entire allegation levelled in the FIR is based upon suspicion



and there is no cogent material suggesting complicity of the petitioner in the crime. Even as per the allegation, the alleged recovery has been made from a bamboo orchard with which the petitioner has no concern. The fair antecedent of the petitioner clearly fortifies the aforesaid facts. Moreover, there is no compliance of Section 103 of B.N.S.S. and the name of the petitioner has been disclosed by the local people; however, without any Test Identification Parade.

5. On the other hand, learned Advocate for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the materials available on record, which *prima facie* do not attract the rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, coupled with the fair antecedent of the petitioner as also the recovery from a bamboo orchard, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-I, Supaul in connection with Supaul Nadi (Reverine P.S. at Mauja



Barhara) P.S. Case No.102 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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