

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64120 of 2025**

Arising Out of PS. Case No.-62 Year-2025 Thana- YADOPUR District- Gopalganj

Dharmendra Yadav S/O Baliram Yadav R/O Village- Navada, P.S.- Jadopur,  
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      24-09-2025                      Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jadopur P.S. Case No. 62/2025 for the offence under Sections Sections 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 10.04.2025 by the informant, Varsha Rani.

3. As per the prosecution story, the informant alleged that on secret information, the outer place of petitioner's land was raided and there is recovery/seizure of 54.00 liters of countrymade liquor. Further, when after taking note of the entire facts, the police was returning, a motorcycle was intercepted, though the accused managed to escape another lot of 36.00 liters countrymade liquor was recovered/seized. Chowkidar gave the name of Deepu Kumar. This led to the FIR.

4. Learned counsel for the petitioner submits that he is



nothing to do with Deepu Kumar, the recovery/seizure is from outer portion of the petitioner's place. The motorcycle relating to second episode does not belong to him. He further submits that if granted relief, he shall be diligently appearing in the trial.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also that recovery/seizure has been made from an open place (*Bansbari*) not from the conscious possession of the petitioner and the undertaking given by the petitioner that if granted relief, he shall be diligently appearing in the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge XIII-cum-Spl. Judge, Excise Court, No. 1, Gopalganj in connection with Jadopur P.S. Case No. 62/2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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