

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69486 of 2025

Arising Out of PS. Case No.-203 Year-2022 Thana- NATHNAGAR District- Bhagalpur

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Kailash Yadav @ Sunil Yadav @ Kalish Yadav @ Sushil S/o Bhukan Yadav
@ Bhukho R/o Village- Rajpur, Maniyar (nathnagar), P.S.- Nathnagar
(Madhusudanpur), Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No. 203 of 2022 registered
for the offence punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. The case of the prosecution is that, altogether 15
liters of country-made liquor has been recovered from the house
of this petitioner.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He also
submits that nothing has been recovered from the conscious
possession of this petitioner. From perusal of the seizure list, it



will transpire that the witnesses of seizure are police personnel which has no evidentiary value in the eye of law. It has also been submitted that the copy of seizure list has not been handed over to the petitioner. Moreover the petitioner is languishing in judicial custody since 04.06.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge-II, Bhagalpur in connection with Nathnagar (Madhushudanpur) P.S. Case No. 203 of 2022 (Spl. Excise No. 667 of 2022) **with a condition that the petitioner will not indulge in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

Sudhanshu/-

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