

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 66455 of 2025

Arising Out of PS. Case No.-406 Year-2025 Thana- RAJAOLI District- Nawada

Awdhesh Yadav aged about 22 years, male, son of Dilip Yadav @ Dilip Prasad R/o vill. Bhaiji Bhatta PS Rajauli Dist. Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 66641 of 2025

Arising Out of PS. Case No.-406 Year-2025 Thana- RAJAOLI District- Nawada

Bipin Yadav Aged 26 years, Male son of Rambalak Yadav R/o vill. Barwa, P.S.Rajouli Dist. Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 66455 of 2025)
For the Petitioner/s : Mr. Nidhi Anand, Adv.
For the Opposite Party/s : Ms.Shaheen Begum APP
(In CRIMINAL MISCELLANEOUS No. 66641 of 2025)
For the Petitioner/s : Mr.Man Mohan Kumar, Adv.
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-09-2025 Both cases have been taken up and heard together as they arise out of the same PS Case number and are disposed of by this common order.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners apprehend arrest in connection with



Rajauli P.S. Case No. 406 of 2025 dated 24-07-2025, instituted under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

4. The allegation is of recovery of 510 litres of illicit country-made Mahua liquor and two motorcycles near Bhadra Dam, P.S. Rajouli, District. Nawada.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that the alleged recovery of illicit liquor was made from an open area near Bhadra Dam, which is accessible to the public at large. It is also submitted that the petitioners were not apprehended at the spot and they have been implicated merely on the basis of a disclosure made by the local *chowkidar*. It is further contended that the petitioners have no concern whatsoever with the seized illicit liquor or the seized motorcycles. Lastly, it is submitted that the petitioner in Cr. Misc. No. 66455 of 2025 has no criminal antecedents, whereas the petitioner in Cr. Misc. No. 66641 of 2025 has one criminal case of a similar nature, in which he has already been granted bail.

6. Learned APP has opposed the prayer for bail.

7. 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 petitioners in both the cases be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, Excise 2, Nawada, in Rajauli P.S. Case No. 406 of 2025, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further that in the case of petitioner, namely Bipin Yadav in Cr. Misc. No. 66641 of 2025, he 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.

8. The applications stand allowed.

(Khatim Reza, J)

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