

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66892 of 2025

Arising Out of PS. Case No.-631 Year-2023 Thana- Excise P.S. District- Madhepura

Praduman Kumar Yadav Son of Madan Yadav Resident of village - Patraha,
Ward No.- 4, P.S. and District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Pooja Prasad

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Madhepura Excise P.S. Case No. 631 of 2023 dated 21.12.2023,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 150 litres of
codeine cough syrup from a Maruti Car bearing Reg. No.
UP16R1303. Two persons namely Mukesh Kumar and Akhilesh
Kumar have arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that nothing has been recovered from
conscious possession of the petitioner and he is not the owner of



the seized car. It is submitted that the petitioner has been made accused only on the basis of past criminal antecedent. Lastly, it has been submitted that the petitioner has got seven criminal antecedents out of which two cases are of similar nature.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Madhepura Excise P.S. Case No. 631 of 2023, he shall be released on anticipatory 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 Addl. Sessions Judge-VII-cum-Special Judge, Excise-II, Madhepura, subject to condition as laid down under Section 482(2) of B.N.S.S. as also to the following conditions:-
as also to the following conditions:-

1. 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.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. 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.

4. 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.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till framing of the charge.

(Khatim Reza, J)

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