

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72940 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- KISHANPUR District- Supaul

Mahendra Yadav S/o Late Bhagwat Yadav aged about 57 years, male,
Resident of village- Tharbitta, Ward No 14, PS- Kishanpur, Dist- Saupaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shatrughna Pandey, Adv.

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Kishanpur PS. Case No. 139 of 2025 dated 12-07-2025,
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act.

3.The allegation is of the recovery of 4 litres of
country-made liquor from the thatched house of the petitioner.

4.Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that nothing has been
recovered from the house of the petitioner and no seizure list
has been prepared in this regard. The story of the seized articles
is false and concocted. Lastly, it is submitted that the petitioner



has one criminal case pending against him.

5. Learned APP has opposed the prayer for bail.

6. 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 petitioner be released on 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 Exclusive Special Excise Court No.1 Supaul, in Kishanpur PS. Case No. 139 of 2025, S.T Excise No. 78 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further (i) that the 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, (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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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