

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72385 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- ANDHRAMATH District- Madhubani

Rajesh Yadav @ Rajesh Kumar Yadav Son of Late Vijay Yadav @ Late Bijay Kumar Yadav R/o - Vikramsher, P.s - Andhramath, District - Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Andhramath P.S. Case No. 108 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about petitioner and other co-accused persons bringing and concealing huge consignment of illicit liquor. A raid was conducted at the identified place and recovery of 801.1 liters of Nepali country made liquor was made from a bamboo clump situated in front of the straw house of one Manshi Yadav.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the seized liquor. The petitioner was neither apprehended from the spot nor anything incriminating has been recovered from his conscious possession. The petitioner was not even present at the place of occurrence during the relevant time. The recovery has been made from a bamboo clump situated in front of straw house of one Manshi Yadav and the petitioner has no concern with the said place. The petitioner has been made accused in this case due to political rivalry as the elder brother of the petitioner was elected *Mukhiya* in the last term. The petitioner is having clean antecedent and is in custody since 12.09.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and further considering the period of custody of the petitioner and his clean antecedent, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Judge, Excise Act, Madhubani/court concerned in connection with Andhramath P.S. Case No. 108 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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