

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74185 of 2025

Arising Out of PS. Case No.-391 Year-2025 Thana- PHULPARAS District- Madhubani

Pawan Yadav Son of Ramdev Yadav Resident of Village- Phulkahi Phulpari,
Ps- Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and Mrs.
Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Phulparas P.S. Case No. 391 of 2025 (G.R. No. 580 of 2025)
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 107.6 liters of illicit liquor near the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. He
further submits that the alleged house from where the alleged
liquor is said to have been recovered is a joint house. The



petitioner has no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.09.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulparas P.S. Case No. 391 of 2025 (G.R. No. 580 of 2025).

(Rudra Prakash Mishra, J)

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