

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86145 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- NAUTAN District- West Champaran

Harendra Yadav S/O Sipahi Yadav R/O Vill.- Maduaha P.s Nautan District -
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier vide order dated 05.05.2025 passed in Cr. Misc. No. 25009 of 2025, anticipatory bail of the petitioner was allowed by a Co-ordinate Bench of this Court with a direction to the Court below to verify the criminal antecedent of the petitioner. Later the Court below, after verification, has found that petitioner bears four criminal antecedents, accordingly, the bail bonds of the petitioner was not accepted.

3. The petitioner seeks bail in connection with Nautan P.S. Case No. 13 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that 173.760 liters



liquor was recovered from two motorcycles.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner is not the owner of the motorcycle in question. Name of the petitioner has transpired in this case on the basis of disclosure made by local chaukidar. The petitioner is in custody since 11.09.2025 and has got four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Nautan P.S. Case No. 13 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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