

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89861 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- KHAJAULI District- Madhubani

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Pawan Yadav, aged about-27 years, S/O Late Vinod Yadav R/o Vill.-
Makunma, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Alias Ashok Karn, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Khajauli P.S. Case No. 223 of 2025 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 270 liters of illicit Nepali country-made liquor kept in six white plastic bags concealed near a bush near bank of Kamla River.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He next submits that the alleged illicit liquor has been recovered from an open place and the petitioner has no concern with that and he was also not present at the place of occurrence at the time of the



alleged search and seizure. He next submits that petitioner was not arrested on the spot and he has got two criminal antecedents as stated in para-3 of the bail petition.

5. However, learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submission of learned counsel for the petitioner and also the fact that alleged illicit Nepali county-made liquor (270 litres) has not been recovered from the conscious possession of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today, 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, Madhubani in connection with Khajauli P.S. Case No.223 of 2025 subject to the condition as laid down under Section 482 of BNSS.

(Ramesh Chand Malviya, J)

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