

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9271 of 2026

Arising Out of PS. Case No.-256 Year-2019 Thana- LAUKAHI District- Madhubani

Devendra Yadav S/O Late Shivcharan Yadav @ Late Ram Sharan Yadav R/O
Village- Chichodhwa Thadhi, Ward no. 10, PS- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

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

ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Laukahi P.S. Case No. 256 of 2019, instituted for the offences
punishable under Sections 272, 273, 414, 34 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Earlier, anticipatory bail of the petitioner was
dismissed as withdrawn by a co-ordinate Bench of this Court
vide order dated 22.09.2025 passed in Cr. Misc. No. 59888 of
2025.

4. The prosecution case, in short, is that 594 liters
liquor was recovered from a car.

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 submitted that the petitioner is neither owner nor driver of the car in question. The petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Fuldev Yadav and the same has got no evidentiary value. The petitioner is in custody since 15.09.2025 and has got six criminal antecedents in which he is on bail. 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 ***after framing of charge, if not already framed***, 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 Laukahi P.S. Case No. 256 of 2019,
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 and shall not remain absent on two consecutive
dates without sufficient cause.

(III) The petitioner will not tamper with the evidence
or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar
nature in future.

If any of the above conditions are violated, the Trial
Court shall be at liberty to cancel the bail bonds of the
petitioner.

(Rudra Prakash Mishra, J)

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