

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20958 of 2026

Arising Out of PS. Case No.-178 Year-2025 Thana- KRISHNAGARH District- Bhojpur

Antu Yadav S/o Jang Bahadur Yadav Resident of Village- Hetampur, P.S.
Krishnagarh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate
For the State : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Ajay Kumar Singh, learned counsel for
the petitioner and Mr. Dr. Kumar Uday Pratap, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
22.01.2026, in connection with Krishnagarh P.S. Case No. 178
of 2025, F.I.R. dated 19.12.2025 registered for the offences
punishable under Sections 30(a) of the Excise Act.

3. Recovery is of 90 litres of *illicit* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not
committed any offence as alleged in the F.I.R. and it appears
from the F.I.R. that nothing has been recovered from the



conscious possession of the petitioner rather recovery has been made from the joint house property of the petitioner and altogether 90 litres of illicit liquor was recovered and there is non-compliance of Sections 103 of BNSS, 2023 and the petitioner is in custody since 22.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the house of the petitioner and apart from that the petitioner carries six more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of six cases, the petitioner is on bail in four cases.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 of the BNSS, 2023 and recovery has been made from the joint house property of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court 1st, Bhojpur at Ara in connection with Krishnagarh P.S. Case No. 178 of 2025, subject to the



following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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