

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21752 of 2026

Arising Out of PS. Case No.-1373 Year-2025 Thana- JAHANABAD District- Jehanabad

1. Nitish Kumar @ Nitesh Kumar S/o Ravindra Prasad @ Rakesh Prasad Resident of Village- Salempur, P.S.- Kadauna, Dist.- Jehanabad
2. Mandal @ Sipahi Ji @ Mandal Prasad S/o Babuchand Yadav @ Babu Chandra Prasad Resident of Village- Salempur, P.S.- Kadauna, Dist.- Jehanabad
3. Lallu Yadav @ Lalu Kumar S/o Devnandan Yadav Resident of Village- Salempur, P.S.- Kadauna, Dist.- Jehanabad
4. M. P. Yadav @ M.P. Raj S/o Shatrudhan Prasad Resident of Village- Salempur, P.S.- Kadauna, Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Om, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending arrest in connection with Jehanabad (Kadauna) P.S. Case No. 1373 of 2025 lodged on 23.12.2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioners and one unknown person. Total recovery of 65.94 litres of illicit



liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioners and their names have figured in this case only by virtue of statement of local *chowkidar* who has inimical terms with the petitioners. He further submits that the petitioners have clean antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of District & Additional Sessions Judge-cum-Special Excise-II, Jehanabad, in connection with Jehanabad (Kadauna) P.S. Case No. 1373 of 2025, subject to the conditions as laid down U/s



482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioners, and in case, it is found at any stage that the petitioners have concealed the fact about their criminal antecedent(s), the Trial Court shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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