

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19561 of 2026

Arising Out of PS. Case No.-291 Year-2024 Thana- JOGAPATTI District- West Champaran

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Sunni Kumar @ Krishna Yadav S/o Gama Yadav R/o Village - Harpur Tola
Majaina, P.S - Nadi, District - West Champaran Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 317(5), 3(5) of the B.N.S.

3. Perusal of the first information report and the seizure list, would go to show that 734.400 liters of foreign liquor is said to have been recovered from the pick-up van.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. As a matter of fact, the name of the petitioner has surfaced in the present case on disclosure made by the co-accused Guddu Kumar, who has already been granted bail vide order dated 20.12.2024 passed in Cr. Misc. No. 87883 of 2024. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent



witness to the seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has one criminal antecedent of similar nature of the offence. In response, it has been submitted that the petitioner is on bail in the said case.

6. Taking into consideration the facts and circumstances and also considering the fact that there is no recovery from the physical or conscious possession of the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged 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 the learned court below where the case is pending/successor court in connection with Yogapatti P.S. Case No. 291 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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