

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19078 of 2026

Arising Out of PS. Case No.-207 Year-2025 Thana- RASULPUR District- Saran

Mithilesh Yadav @ Mithilesh Kumar Yadav, Son of Late Madan Yadav, R/o
Village - Asahani, P.S. - Rasulpur, Dist. - Saran at Chapra. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-03-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in
connection with Rasulpur P.S. Case No. 207 of 2025 registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2022.

3. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 12.690 litres of IMFL/country made liquor
from in front of the house.

4. It is submitted by learned counsel that recovery of
alleged illicit liquor was made from a hut situated in front of the
house of the petitioner and for said reason he was implicated with
present case. It is submitted that petitioner is not connected in
any manner with said hut. It is pointed out that recovery as



alleged was not made from the conscious physical possession of this petitioner.

5. Explaining criminal antecedent, it is pointed out that petitioner found involved in one more criminal case of similar nature, where he is on bail.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid facts and circumstances and by taking note of fact as *prima facie* recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Spl. Judge Excise Judge, Saran at Chapra/concerned Court, where the case is pending in connection with Rasulpur P.S. Case No. 207 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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