

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20366 of 2026

Arising Out of PS. Case No.-36 Year-2026 Thana- Excise Jhanjharpur District- Madhubani

Pawan Yadav S/o Late Baharu Yadav Resident of Village - Chanauraganj,
Ward No. 12, P.S - Jhanjharpur, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-03-2026 Heard Mr. Ramchandra Jha Rama, learned counsel
for the petitioner and Mr. Umesh Lal Verma, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.02.2026 in connection with Excise Jhanjharpur P.S. Case No.
36 of 2026, F.I.R. dated 17.02.2026 for the offences punishable
under Sections 30(a), 32(1) and 32(3) of the Bihar Prohibition
and Excise Act.

3. Recovery is of 99 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. as well as seizure list that nothing has been
recovered from the conscious possession of the petitioner rather



the recovery of 99 liters of foreign liquor has been made from the tempo in question. He further submits that the petitioner is neither the owner nor the driver of the said tempo in question. There is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 17.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is non-compliance of Section 103/105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Jhanjharpur, Madhubani in connection with Excise Jhanjharpur P.S. Case No. 36 of 2026, subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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