

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22356 of 2026

Arising Out of PS. Case No.-257 Year-2025 Thana- TANKUPPA District- Gaya

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Baldev Yadav @ Baaldev Yadav S/o- Ramji Yadav Mohallah -Laxmipur P.S.-
Tankuppa District - Gaya ji

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushp Raj Singh
For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.02.2026 in connection with Tankuppa P.S. Case No. 257 of
2025 for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

3. The prosecution case, in brief, is that on 26.12.2025
at about 06.00 A.M. informant has received a confidential
information that Baldev Yadav s/o Ramji Yadav has kept Wine
in Aahar-canal situated near Laxmipur Hill. It is further alleged
that on this information, he reached at Aahar situated near
Laxmipur hill and saw a person running away after seeing



police force. It is further alleged that informant tried to catch him with the help of police force but failed. It is further alleged that then informant reached at Aahar and found 115 liters Chulaee Desi Mahua Wine kept in sack. It is further alleged that informant has seized above articles and prepared seizure list in presence of witnesses. It is further alleged that total 115 liters Chulaee Desi Mahua Wine has been recovered. It is further alleged that no person has been arrested at the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submits that it appears from the FIR that altogether 115 liters of Chulaee Desi Mahua liquor was recovered near the canal and petitioner has been made an accused on the basis of suspicion and except suspicion, no other cogent material has come during investigation to suggest the involvement of petitioner in the present occurrence and there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioner is in custody since 15.02.2026.

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



submits that petitioner has antecedent of three cases of similar nature other than the present case but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, 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-2, Gaya Ji in connection with Tankuppa P.S. Case No. 257 of 2025, 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)

Gaurav Sinha/-

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