

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25094 of 2026

Arising Out of PS. Case No.-359 Year-2025 Thana- GOVINDPUR District- Nawada

Kaushal Yadav @ Kaushal Kumar Son of Rajan Yadav @ Ranjay Yadav R/O
Vill.- Jafara, P.S.- Govindpur, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-04-2026 Heard Mr. Birendra Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Awadhesh Kumar
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Govindpur P.S. Case No. 359/2025 registered for the
offence(s) punishable under Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 11.250 litres
of illicit liquor was recovered near a pond.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Learned counsel further
submitted that recovery of illicit liquor has been made from the
pond, which is an open space and is easily accessible by anyone.



Petitioner has no concern either with the place of recovery or with the alleged recovered liquor. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that the recovery of illicit liquor has been made from the pond, which is an open space and is easily accessible by anyone and also the fact that the State has failed to implement its liquor policy in its true spirit, I am of the opinion that petitioner, who is having clean antecedent, has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court where the case is pending in connection with Govindpur P.S. Case No. 359/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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