

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26477 of 2026

Arising Out of PS. Case No.-68 Year-2026 Thana- GOPALPUR District- West Champaran

Hiralal Yadav S/O Late Vidyasagar Yadav R/O Gouripur, P.s.- Balthar, Dist.-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2026 Heard Mr.Bimlesh Kumar Pandey, learned counsel
appearing for the petitioner and Mr.Dr. Kumar Uday Pratap,
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
13.03.2026 in connection with Gopalpur P.S. Case No. 68 of
2026, F.I.R. dated 12.03.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act , 2016.

3. Recovery is of 813.5 litres of different brand of
liquor.

4. Learned senior counsel appearing for the petitioner
submits that the allegation as alleged in the FIR is false and
fabricated and the has not committed any offence as alleged in
the FIR. Further submits that from a bare perusal of the FIR it



appears that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the vehicle in question and altogether 813.5 litres of country made liquor was recovered from the vehicle in question and it appears from the FIR itself that the petitioner is not the owner of the vehicle in question and there is seizure list witnesses are not the independent witnesses so there is non-compliance of Sections 103 and 105 of BNSS,2023 and petitioner is in custody since 13.03.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one of similar nature but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned Exclusive Special Judge, Excise Court-1, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 68 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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