

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33789 of 2026

Arising Out of PS. Case No.-118 Year-2025 Thana- HARLAKHI District- Madhubani

Krishna Yadav Male aged about 19 years, Son of Indal Yadav @ Indra Yadav
Resident of Village - Umgaon, P.S. - Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in connection with Harlakhi P.S. Case No. 118 of 2025 instituted for the offences punishable under Sections 274, 275 and 3(5) of the BNS and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per allegation in FIR total 360 liters of illegal Nepali country made liquor and one motorcycle has been recovered from the possession of co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of local village politics. He submits that nothing incriminating articles have been recovered from the conscious possession of the petitioner. He further submits that petitioner has been made



accused only on the basis of confessional statement of arrested co-accused persons. He next submits that petitioner is not arrested at the spot and nothing incriminating articles have been recovered from the conscious possession of the petitioner. Petitioner is in custody since 19.03.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and impugned order of the learned Exclusive Special Judge Excise, Madhubani dated 08.04.2026, it appears that petitioner is named in the FIR and his name transpired in this case during the course of investigation merely on the basis of confessional statement of co-accused persons namely Rakesh Yadav and Abhishek Kumar Yadav. From perusal of records, it also appears that on the basis of written report of the informant, FIR has been registered under Sections 274, 275 and 3(5) of the BNS and Section 30 (a) of the Bihar Prohibition and Excise Act against three co-accused persons including the present petitioner and the allegation is of 360 liters of Nepali country made liquor has been recovered. Petitioner has not arrested at the spot and he has been made accused only on the basis of confessional statement of two arrested co-accused persons namely Rakesh Yadav and



Abhishek Kumar Yadav. Petitioner is in custody since 19.03.2026, so considering all these aspects of the case and submission of the learned counsel of the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Madhubani in connection with Harlakhi P.S. Case No. 118 of 2025, arising out of G.R. No. 632 of 2025.

(Ramesh Chand Malviya, J)

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