

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29599 of 2026

Arising Out of PS. Case No.-193 Year-2024 Thana- SAKRI District- Madhubani

Sharvan Kumar Yadav S/O Devendra Yadav R/V - Dhaulitol, P.S- Jaynagar ,
Dist- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shabina Talat

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 31.03.2026 in connection with Sakri P.S. Case No. 193 of 2024 for the offences punishable under Sections 274 and 275 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in brief, is that the informant (Suresh Choudhary currently posted as S.I at Sakri Police Station). On 04.09.2024 at 10.05 pm when he was on night patrol/raid along with armed force, who left the police station for the raid. During night patrol, when they was near Sakri Bridge, On 05.09.2024 at 00:10 hrs, informant got an information that a four-wheeler is carrying a huge quantity of liquor from NH 27 towards village Narpatnagar Hati. To verify



he left from near Sakri Bridge with his team. When they reach towards village Narpatnagar Hati from NH 27, a four wheeler on seeing the police vehicle started running fast. When they chased it, the driver abandoned his vehicle near Tinmuhani road in front of Rambabu Yadav's house and started running away. they tried to catch him with the help of armed forces but the driver took advantage of the darkness and managed to escape. By then, on hearing the commotion, some villagers gathered, out of which two persons (1) Rambabu Yadav son of Late Gulton Yadav (2) Vasudev Yadav son of Late Narayan Yadav, both residents of Narpatnagar Hati Ward No. 5, Police Station Sakri, District Madhubani, were kept as independent witnesses and search of the said four-wheeler bearing registration number BR1Y0955 and chassis number MALAB51HR4M484312, engine number G4HD4D65640 started. On the middle seat of the vehicle, 6 white coloured plastic bags were found, in which 5 plastic bags each contained 150 bottles of 300 ml, total 750 bottles of Nepali country liquor and when another last bag was checked, total 70 bottles of 300 ml Nepali country liquor, total 820 bottles altogether total 246 litres of Nepali country liquor was recovered.

4. Learned counsel for the petitioner submits that it



appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the vehicle in question and petitioner is not the owner of the alleged vehicle in question and petitioner has been made an accused in the present case on the basis of suspicion and except the aforesaid nothing has come to suggest the involvement of the petitioner in the present occurrence. It is next submitted that petitioner is in custody since 31.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of two cases other than the present case.

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 at Madhubani in connection with Sakri P.S. Case No. 193 of 2024, 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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