

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32069 of 2026

Arising Out of PS. Case No.-75 Year-2026 Thana- RAJAOLI District- Nawada

Chhotan Yadav S/o Baalchand Yadav R/o Village - Bara, PS - Rajauli, District
- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Suruchi Anand, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with Rajauli P.S. Case No. 75/ 2026 registered for the offence(s) punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner was neither apprehended from the spot nor any recovery was made from his conscious possession. Learned counsel further submits that the alleged liquor was recovered from an open place, i.e. rocky bushes and not from any place belonging to or occupied by the petitioner. It is also submitted that no independent witness supported the seizure and the mandatory provision of section



103(4) of the BNSS has not been complied with. The petitioner has one antecedent in which he is already on bail and is in custody since 17.03.2026.

4. The learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the aforesaid submissions advanced by the petitioner’s counsel as well as averments made in this petition coupled with the fact that recovery witnesses are police personnel, so, release of the petitioner on bail will not affect the prosecution in any manner, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail in connection with Rajauli P.S. Case No. 75/ 2026 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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