

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31596 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- BHAIKAVSHTHAN District- Madhubani

Rambabu @ Rambabu Yadav S/o Kailash yadav Resident of Village-Karhari,
P.S.- Bahera, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 07-05-2026 Heard Mr. Ramchandra Jha Raman, learned counsel
for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bhairavsthan P.S. Case No. 25 of 2026 for the offence punishable under sections 274, 275, 3(5) of the BNS and Section 30(a) of the Bihar Excise and Prohibition Act, lodged on 17.02.2026 by the informant.

3. As per the prosecution case, there has been recovery of 728 litres of illicit liquor from a vehicle having registration no. WB40X0786.

4. Learned counsel for the petitioner submits that neither the recovered illicit liquor nor the said vehicle from where the recovery has been made, belong to the petitioner and the petitioner being a man of clean antecedent has got no



concerned with the alleged recovery.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that the recovery has not been made from the constructive possession of this petitioner and neither the recovered illicit liquor nor the said vehicle from where the recovery has been made, belong to the petitioner, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise Act, Jhanjharpur, Madhubani in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two



consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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