

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32169 of 2026

Arising Out of PS. Case No.-75 Year-2026 Thana- HARLAKHI District- Madhubani

Rohit Kumar Yadav S/O Sree Indrajeet Yadav R/O Village- Ghat Madhiya,
P.S.- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Bhavesh Kumar Sah, learned counsel
for the petitioner and Mr. Yogendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.03.2026 in connection with Harlakhi P.S. Case No. 75 of
2026 for the offence punishable under Sections 274, 275 and
3(5) of the BNS and Section 30(a) of the Bihar Prohibition and
Excise Amendment Act.

3. The case of the prosecution, in short, is that the
allegation against the petitioner is of recovery of 378 liters of
illegal Nepali liquor from the sack loaded on two motorcycles.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and it appears from the FIR that
nothing has been recovered from the conscious possession of



the petitioner and recovery of 378 liters of illegal Nepali liquor has been made from the sack loaded on two motorcycles. It is next submitted that petitioner is not the owner of the motorcycle in question and he has been made an accused in the present case on the basis of suspicion and the petitioner has no role at all with the alleged recovery of liquor or motorcycle in question and petitioner is in custody since 01.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

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 Excise, Madhubani in connection with Harlakhi P.S. Case No. 75 of 2026, 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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