

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32781 of 2026

Arising Out of PS. Case No.-21 Year-2024 Thana- KHODAWANDPUR District- Begusarai

Bablu Yadav S/O Shankar Yadav Resident of Village- Balaha, P.S- Hasanpur,
Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Sarbottam Kumar Sarkar, learned counsel
for the petitioner and Mr. Ram Anurag Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.03.2026 in connection with Kodawanpur (Chhourahi) P.S.
Case No. 21/2024, F.I.R. dated 11.02.2024 for the offences
punishable under Sections 467, 468 and 120B read with Section
34 of the Indian Penal Code and Sections 30(a), 32(i), 32(ii),
41(i) of the Bihar Prohibition and Excise Act.

3. Recovery is of 1516.320 liters of Indian made
foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.



as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from truck in question. The name of the petitioner has transpired on the basis of the confessional statement made by the co-accused, namely, Laxman Kumar who has been granted bail by the Co-ordinate bench of this Hon'ble Court vide order dated 15.03.2024 passed in Cr. Misc. No. 20188/2024. He further submits that there is non-compliance of Section 100 of Cr.P.C/103 of BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.03.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries four criminal antecedent but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

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 Court 1st, Begusarai in connection with Kodawanpur (Chhourahi) P.S. Case No. 21/2024, 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)

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