

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40753 of 2026

Arising Out of PS. Case No.-332 Year-2025 Thana- Excise P.S. District- Madhubani

Sikandar Yadav Son of Ram Narayan Yadav Resident of Village- Simratol
Yogiya, P.S.- Ladania, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashad

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.05.2026 in connection with Sadar Excise P.S. Case No. 332
of 2025 for the offence punishable under Section 30(a) of Bihar
Prohibition And Excise Act.

3. The case of the prosecution in brief is that on 30-
09-2025, at approximately 11:00 AM, confidential information
was received stating that Sikandar Yadav and Ashok Yadav had
concealed a large quantity of illicit liquor at Busbitti-located
near the Simra Toll area in the village of Yogiva intended for
sale during the occasion of Navratri. To verify this information
and initiate necessary action. I proceeded to the reported
location Busbitti, situated beyond the village near Simra Toll-
accompanied by my subordinates and the assigned armed force,
arriving at approximately 1:55 PM. Upon conducting a lawful
search, a total of 1,620 liters of illicit liquor was recovered from
36 white plastic sacks, which had been kept concealed under a



plastic tarpaulin.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. 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 from an open place and petitioner was apprehended at the place of occurrence. It is next submitted that from perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioners are in custody since 11.05.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that name of the petitioner has come up on the basis of secret information and petitioner has antecedent of six cases other than the present case but fairly submits that the petitioner is on bail in the pending matters.

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, Madhubani in connection with Sadar Excise P.S.
Case No. 332 of 2025, 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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