

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40800 of 2026

Arising Out of PS. Case No.-159 Year-2026 Thana- RASULPUR District- Saran

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Dhirendra Yadav @ Gila Yadav S/O Late Mundrika Yadav R/O Village -
Jogiya, P. S - Rasulpur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Hemant Kumar, learned counsel for the

petitioner and Mr. Shailendra Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.05.2026 in connection with Rasulpur P.S. Case No. 159 of
2026, F.I.R. dated 18.05.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 13 liters of illicit country 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 recovery of 11 liters of
illicit liquor has been made from the possession of the
petitioner. In fact, nothing has been recovered from the
conscious possession of the petitioner rather the police have



planted the same and shown that the recovery has been made from the possession of the petitioner. It appears from the seizure list that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 19.05.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended along with illicit liquor and apart from that the petitioner carries one criminal antecedent but fairly submits that he is on bail in the said case.

6. Considering the aforesaid facts and circumstances that there is non-compliance of Section 103/105 of the BNSS, 2023, 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 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Rasulpur P.S. Case No. 159 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)

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