

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48386 of 2026

Arising Out of PS. Case No.-19 Year-2020 Thana- SAHARGHAT District- Madhubani

Bisheshwar Yadav Son of Sutta Yadav Resident of Village- Gangaur, Ward no.
03, Ps- Harlakhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2026 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. A supplementary affidavit has been filed on behalf
of the petitioner which is taken on record.

3. It is submitted that on account of inadvertence, in
paragraph 10 of the bail application it has been wrongly stated
that the petitioner is owner of the seized motorcycle bearing
registration no. BR32Y2672, when the fact is the petitioner has
no concern with the motorcycle, in question.

4. The petitioner apprehends his arrest in connection
with Saharghat P.S. Case No. 19 of 2020, registered for the
offenses punishable under Sections 272 and 273 of the I.P.C.
and 30(a) of the Bihar Prohibition and Excise Amendment Act,
2016.

5. In course of patrolling, the police personnel on



suspicion tried to intercept a motorcycle rider, however, the motorcycle rider noticing the police party succeeded in fleeing away after leaving the motorcycle. In course of search, 45 liters of Nepali illicit liquor, besides the motorcycle and a mobile were recovered.

6. Learned Advocate for the petitioner submits that the petitioner has nothing to do with the alleged recovered illicit wine or the motorcycle in question. So far the mobile, which has been recovered from the place of occurrence is concerned, the same though belongs to the petitioner, but it has wrongly been stated that it has been recovered from the place of occurrence rather the police has recovered the same at different place, but due to some oblique reason it is alleged that the same has also been recovered along with the motorcycle. The petitioner though bears one criminal antecedent of identical nature, however, he is on bail in the said case and the petitioner undertakes that he will fully cooperate in the proceeding of the court.

7. On the other hand, learned Advocate for the State vehemently opposed the bail application.

8. Regard being had to the submissions made on behalf of the parties and considering the fact that the FIR has



been instituted against the unknown persons, the petitioner has no connection with the motorcycle in question, which was recovered from the place of occurrence, besides the fact that subsequently the name of the petitioner surfaced in course of investigation, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds 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 Saharghat P.S. Case No. 19 of 2020, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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