IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74270 of 2026

CNR No. BRHC011076232026

Arising Out of PS. Case No.-358 Year-2026 Thana- JAYNAGAR District- Madhubani

==========

Shravan Kumar Yadav @ Sharvan Son of Biltu Yadav Resident of Village - Kamlabari, Ward No. - 2, P.S. - Jaynagar, District - Madhubani.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, APP

==========

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Shailendra Kumar Jha, learned counsel appearing on behalf of the petitioner and Mr. Sucheta Yadav, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Jaynagar P.S. Case No. 358 of 2026 for the offences punishable under Sections 274 and 275 of the Bharatiya Nyaya Sanhita, 2023, and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, as amended in 2022.

3. As per the allegation made in the F.I.R., the informant received secret information regarding the transportation of illicit liquor and in course of raid, one Jainath Yadav was apprehended while carrying illicit Nepali liquor on a motorcycle without a registration number plate. On search, 23.2

WEB COPY

litres of illicit Nepali liquor were allegedly recovered from the motorcycle.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that the petitioner is the owner of the motorcycle, which had been given to his brother-in-law, co-accused Jainath Yadav, for some urgent work. He further submitted that no liquor was recovered from the conscious possession of the petitioner and that he has no concern with the alleged illicit liquor trade. The petitioner has no criminal antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and considering the nature of the allegations, the alleged recovery of 23.2 litres of illicit Nepali liquor from the motorcycle and the submission that the petitioner was not present at the place of recovery and had handed over the motorcycle to his brother-in-law, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

WEB COPY

7. Accordingly, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-II, Madhubani, or the successor court, in connection with Jaynagar P.S. Case No. 358 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

Ashishsingh/-

U		T	

WEB COPY