IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80617 of 2026

CNR No. BRHC011174102026

Arising Out of PS. Case No.-150 Year-2026 Thana- KRISHNAGARH District- Bhojpur

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Indal Yadav S/o Birendra Yadav Resident of village - Paiga, Police Station-Barahara, District-Bhojpur at Ara.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and the learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in connection with Krishnagarh P.S. Case No. 150 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, on secret information, a raid was conducted at Gundi Tod orchard and on seeing the police party, three persons fled and on search total 260 litres of country made liquor was recovered.

4. The learned counsel for the petitioner submits that the petitioner was not apprehended and his name was disclosed by the local *chowkidar* only because of the long list of criminal antecedent. It has further been submitted by the learned

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counsel for the petitioner that no recovery was made from the conscious possession of the petitioner and rather the recovery is admittedly made at orchard. It has been admitted by the learned counsel for the petitioner that the petitioner has four cases, which have been registered under the Excise Act and two cases under the Indian Penal Code. It has lastly been submitted that the petitioner is in custody since 03.10.2026.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Having heard the learned counsel for the parties and considering the fact that the recovery was made from an open space and also taking note of the fact that the petitioner has remained in custody since 03.10.2026 let the petitioner, above-named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Krishnagarh P.S. Case No. 150 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the

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petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Bhojpur, within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned**.**

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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