

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66006 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- JAYNAGAR District- Madhubani

Gagan Yadav @ Gagandeo Yadav @ Gagan Dev Kumar Son of Late Palat
Yadav R/o Village- Korahiya, P.S- Jaynagar, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Kumari Pallavi, Advocate

For the Opposite Party : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025

Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Jaynagar P.S. Case No. 63 of 2025 registered under Sections 274, 275, 317(5), 3(5) of the BNS and Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the first information report, on an information that liquor smugglers were transporting liquor on four motorcycles, the police team tried to intercept them, however, on seeing the police party, all the persons left the motorcycles and the luggage and tried to flee away and on chase two persons were apprehended. Total 630 liters of Nepali Sofi wine was recovered from four motorcycles and the motorcycles and the liquor were seized.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and save and except the confessional statement of co-accused, there is no material to connect the petitioner with the alleged offence. He has further submitted that the illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner. It has also been submitted that one co-accused, namely, Abhinav Kumar, has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 01.08.2025 passed in Cr. Misc. No. 46163 of 2025.

5. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner and that the petitioner has no criminal antecedent as also the fact that one of the co-accused has already been granted the anticipatory bail by a coordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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



learned Exclusive Special Judge, Excise, Madhubani, in connection with Jaynagar P.S. Case No. 63 of 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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