

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72191 of 2025**

Arising Out of PS. Case No.-30 Year-2025 Thana- MAIN P.S. District- Gaya

Uday Yadav Son of Gariban Yadav R/o Village - Chadhata Adhatpur, P.S.  
-Main, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      16-10-2025      1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Main Police Station Case No. 30 of 2025, dated 20.06.2025, disclosing offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, reached in the field near Shiv Temple and on seeing the police, two persons fled away, who was identified by the chowkidar as the petitioner and co-accused Mantu Yadav. On search, the police recovered 30 litres of illicit country-made mahua liquor, kept under the husk in a blue-coloured gallon.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the disclosure of his name by the chowkidar. He further submits that the petitioner has got no concern with the illicit liquor recovered inasmuch as the illicit liquor has been recovered from a field kept under the bush, which is an open space and is accessible to all and sundry.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the name of the petitioner transpired in this case on the disclosure made by the chowkidar and the illicit liquor has been recovered from the field, which is an open space, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Exclusive Special Excise Court No. II, Gaya, in connection with Main Police



Station Case No. 30 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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