

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86615 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Bhagirath Yadav S/o Ramkishun Yadav R/o Village - Sinduar, Tola -
Rajaundha, Post - Dangara, P.S - Mohanpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Abhigyan

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Excise Sherghati P.S. Case No. 41 of 2025 registered for the offence under Section 30(a)/32(3) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the recovery is of 12.375 liters of illicit liquor.

4. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in this case.

5. Learned counsel for the petitioner submits that the petitioner is ready to donate Rs. 50,000/- in some charitable organization without accepting his guilt. He further submits that



the petitioner has no criminal antecedent.

6. Considering the aforesaid facts, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, 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 the learned Court of Exclusive Special Excise Court No. 3, Gaya/concerned Court below in connection with Excise Sherghati P.S. Case No. 41 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 50,000/- in Ramakrishna Math, Gayaji, Camp at I.A.S. Colony, Sidheshwar Ghar Aangan Complex, Block-B, Flat No. 301, Domuhan, Bodhgaya, Gaya and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

9. As a condition of this order, the petitioner, after



being released on anticipatory bail, is directed to mark his attendance at Mohanpur Police Station on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

10. As the petitioner claims to have clean antecedent, the Court below, before accepting the bail bonds of the petitioner is directed to verify the antecedent of the petitioner. If the petitioner is found to be involved in any other case then the bail bonds of the petitioner shall not be accepted.

(Sandeep Kumar, J)

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