

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4325 of 2026

Arising Out of PS. Case No.-292 Year-2025 Thana- Excise P.S. District- Gaya

Uday Kumar Son of Amika Yadav @ Ambika Yadav Resident of Village-
Asurain, P.S.- Tankupa, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Gaya Excise P.S. Case No. 292 of 2025 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 2640 litres of liquor was recovered from two pickup vans.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The other co-accused person has already been granted bail by this court vide order dated



27.11.2025 passed in Cr. Misc. No. 80731/20225. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the petitioner has two antecedents of similar nature, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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