

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7990 of 2026

Arising Out of PS. Case No.-61 Year-2025 Thana- Bhopatpur District- East Champaran

1. Chandan Kumar @ Chandan Yadav S/O Bacha Yadav @ Bachan Yadav R/O Village- Nayka Tola Bhopatpur, P.S -Bhopatpur, Dist.- East Champaran.
2. Amardeo Yadav @ Amardeo Rai S/O Raghu Rai @ Raghu Yadav R/O Village- Nayka Tola Bhopatpur, P.S -Bhopatpur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar R/O Village- Nayka Tola Bhopatpur, P.S -Bhopatpur, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
		Mrs. Harsha Shashwat, Advocate
For the Opposite Party/s	:	Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Bhopatpur P.S. Case No. 61 of 2025, registered under Sections 30(a), 33 and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1005 liters spirit was recovered from bush.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no concern with the alleged recovery of spirit. Learned counsel for the petitioners



also submitted that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. It is next submitted that name of the petitioner has transpired in this case only on the basis of suspicion. Learned counsel for the petitioners, therefore, contends that *prima-facie*, no case is made out against the petitioner. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that other co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 01.11.2025 passed in Cr. Misc. No. 73312 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhopatpur P.S. Case No. 61 of 2025, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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