

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7040 of 2026

Arising Out of PS. Case No.-396 Year-2025 Thana- ADAPUR District- East Champaran

Nageshwar Prasad Yadav @ Nageshwar Yadav @ Nageshwar Rai Son of Late shivnath Yadav Resident of Village- Andhra Ps- Adapur Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Adapur P.S. Case No. 396 of 2025, instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 75 litres of country made liquor was recovered from two plastic near the river.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of information given by the local Chowkidar. The petitioner has got no concern with the alleged recovery of liquor. The



petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner.

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, let the petitioner 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Adapur P.S. Case No. 396 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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