

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8118 of 2026

Arising Out of PS. Case No.-752 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Chhathu Kumar Yadav Son of Vishwanath Yadav R/o Village - Sahpur, P.S. -
Chenari, Dist. - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2026 Heard Mr. Tribhuwan Narayan, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise Bhabua P.S. Case No. 752 of 2025 registered for the
offence(s) punishable under Sections 30(a), 32(i) & (ii), 41(i) &
(ii) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 96.480
litres of illicit liquor was recovered from a car.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Admittedly, at the time of
the alleged seizure and recovery of illicit liquor, petitioner was
not present and he has been made accused in this case, being the



owner of the vehicle in question, which was given by the petitioner to his driver/co-accused and the same was being driven by him at the time of said incidence and as such the petitioner had no idea that he was carrying liquor on the said car. Petitioner has no concern with the seized liquor.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that the State has failed to implement its liquor policy in its true spirit, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court where the case is pending in connection with Excise Bhabua P.S. Case No. 752 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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