

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8980 of 2026

Arising Out of PS. Case No.-425 Year-2025 Thana- OBRA District- Aurangabad

1. Bhim Yadav S/o- Saryu Yadav Village- Mahadeva PS-Obra District- Aurangabad Bihar
2. Santu Yadav S/o- Suryadayal Yadav Village- Mahadeva PS-Obra District- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Obra P.S. Case No. 425 of 2025, registered for the offence punishable under Sections 30(a)/30(c) of Bihar Prohibition and Excise Act, 2022 (Amended).

3. As per prosecution-case, total 240 litre illicit liquor was recovered from near the bank of river and on the basis of secret information the names of the petitioners came to fore.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence as alleged in the F.I.R. She further submits that place of recovery



is an open place which is accessible to all and petitioners cannot be held liable for the alleged recovery. The source of secret information has not been disclosed in the F.I.R. which questions the very authenticity of the F.I.R. Though the petitioners are having criminal antecedent of one case each, but they are already on bail in the said cases and on account of having criminal antecedent, they have been falsely implicated in the present case without any substance.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that petitioners are named in the F.I.R. and they cannot escape from the allegations made in the F.I.R.

6. Considering the facts and circumstances of the case, petitioners were not found at the place of occurrence, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail-bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-II, Aurangabad, Bihar in connection with Obra



P.S. Case No. 425 of 2025, subject to the conditions as laid
down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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