

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8936 of 2026

Arising Out of PS. Case No.-182 Year-2025 Thana- MANIGACHI District- Darbhanga

Abhishek Yadav @ Abhishek Kumar Yadav S/O Late Shiv Kumar Yadav R/O
Village- Gopalpur, P.S.- Manigachhi, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Manigachhi P.S. Case No. 182 of 2025, registered for the offence punishable under Sections 30(a) and 30(d) of Bihar Prohibition and Excise Act.

3. As per prosecution-case, there is alleged recovery of 25.875 litre foreign illicit liquor from the place of occurrence and local Chowkidar disclosed the name of the petitioner and others as the persons who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R. He further submits that the alleged place of



recovery is an open place and petitioner cannot be held liable for the alleged recovery. Petitioner was not found at the place of occurrence and petitioner is not, in any way, connected with the place of recovery. Apart from that, petitioner is having clean antecedent. On account of local village politics, his name has implicated at the instance of others and in light of the aforesaid facts and circumstances, no offence is made out against the petitioner, as alleged in the F.I.R.

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

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Judge-II (Excise Act), Darbhanga in connection with
Manigachhi P.S. Case No. 182 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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