

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8805 of 2026

Arising Out of PS. Case No.-201 Year-2025 Thana- EXCISE BIRAUL District- Darbhanga

Raman Yadav @ Raman Kumar Yadav @ Raman Kumar Son of Rambahadur
Yadav Resident of Village- Morkahi, Ward No. 11, P.S.- Kusheshewar Asthan,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

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 Biraul Excise P.S. Case No. 201 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (as amended).

3. As per prosecution case, 9.375 litre illicit liquor was recovered from the hut of the petitioner and he succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that the place of recovery is an open place which



is accessible to all and petitioner cannot be held liable for the alleged recovery. No incriminating article has been recovered from the possession of the petitioner. Petitioner was not found at the place of occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that the petitioner is FIR named accused and he cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, keeping in view clean antecedent of 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 Special Judge Ist, (Excise Act) Darbhanga in connection with Biraul P.S. Case No.



201 of 2025, subject to the conditions as laid down under
Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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