

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11651 of 2026

Arising Out of PS. Case No.-702 Year-2018 Thana- ARA NAWADA District- Bhojpur

Kamlesh Yadav Son of Dashrath Yadav Resident of Village- Ghoradei, P.S.-
Ara Mufassil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bibhakar Tiwary, Advocate Mr. Dilip Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mr. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ara Nawada P.S. Case No.702 of 2018, F.I.R dated 08.10.2018 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, On 08.10.2018, A.S.I. Sadanand Pandey of Ara Nawada Police Station submitted a written report stating that while on patrol duty, he received information at about 3:00 PM regarding the illegal sale and supply of liquor by Rinku Chaudhary, Vishnu Singh, and Kundan Singh Yadav. After informing his superior, he directed



police teams to raid Rinku Chaudhary's house at Anaith Tola. Upon arrival, several persons attempted to flee, but Vishnu Singh and Kundan Singh Yadav were apprehended. They allegedly confessed to supplying liquor along with Rinku Chaudhary in Ara. During a search of the house verandah, police recovered 528 bottles (180 ml each) of wine and a motorcycle bearing registration number BR03X/0363.

4. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and his name has transpired in the present case on the basis of recovery having been made from verandah of one co-accused Rinku Choudhary, who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 22.09.2025 passed in Cr. Misc. No.41357 of 2025, and the motorcycle, which is said to have been parked outside the house of Rinku Choudhary, belongs to the petitioner. It is the case of the petitioner that the said motorcycle was parked by him for the purpose of purchasing vegetable from the local vendor, who was standing near the said motorcycle and nothing has been recovered from the said motorcycle. The petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.



6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the co-accused Rinku Choudhary has already been granted bail by a Co-ordinate Bench of this Court vide order dated 22.09.2025 passed in Cr. Misc. No.41357 of 2025, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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 Exclusive Special Excise Court No.1, Bhojpur at Ara, in connection with Nawada P.S. Case No.702 of 2018 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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