

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11613 of 2026

Arising Out of PS. Case No.-41 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Surendra Yadav S/o Manohar Yadav R/o Village- Bishanpur, Ward no. 18,
P.O. - Sambey, PS- Warisaliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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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 Warisaliganj G.O. Case No.41 of 2013, F.I.R dated 27.02.2013 registered for the offences punishable under Sections 47(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the informant, an ASI of Dalsingsarai, received secret information about illegal liquor manufacturing activities in Bishanpura village by Surendra Yadav and another person. Acting on this information, the police conducted a raid, searched the locations, and recovered 90 liters of country-made liquor and 1500 kg of fermented Jawa Mahua.



A seizure list was prepared in the presence of two witnesses.

4. Learned counsel for the petitioner submits that the place of recovery is from an open space, which is accessible to all and the petitioner has falsely been implicated in the present case due to dirty village politics. The petitioner has no criminal antecedent and the search and seizure is said to have been made without adhering to the procedures / provisions prescribed under the B.N.S.S. Act.

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, 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 Court, Excise-2, Nawada, in connection with Warisaliganj G.O. Case No.41 of 2013 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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