

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12523 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- RAGHUNATHPUR District- Siwan

Abhishek Kumar Yadav @ Abhishek Yadav Son of Lalbahadur Yadav
Resident of Village- Kausar Bagicha, P.S.- Raghunathpur, District- Siwan,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Raghunathpur P.S. Case No. 09 of 2026, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 91 liters
liquor was recovered from two plastic sacks in an open place
and the petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submitted that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. It is further submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 18.01.2026 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghunathpur P.S. Case No. 09 of 2026.

(Rudra Prakash Mishra, J)

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