

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19154 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- GHOGHARDIHA District- Madhubani

Guddu Kumar Yadav @ Guddu Yadav S/O Raghunath Prasad Yadav @
Raghunath Yadav R/V- Gidaha, P.S- Ghoghardiha, District - Madhubani

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party : Mr. Nawin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Ghoghardiha P.S. Case No.190 of 2025 registered under Sections 274/275, 3(5) of B.N.S. (in short 'B.N.S.', 2023) and 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 909 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged illicit liquor was



made from the garden behind the house of co-accused, namely, Shambhu Kumar. It is also submitted that the name of petitioner arrayed solely on the disclosure made by the said co-accused. It is also argued by petitioner that neither the petitioner was present at the spot nor is he in any way connected with the said illicit liquor and it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No.190 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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