

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21924 of 2026

Arising Out of PS. Case No.-606 Year-2017 Thana- BODHGAYA District- Gaya

Ramlakhan Yadav S/o Ramvriksha Yadav @ Ram Brij Yadav Resident of
Village- Sundar Kumhari, P.S.- Barachatti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Bodhgaya P.S. Case No. 606 of 2017, lodged on 27.10.2017, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. Total recovery of 13.860 litres of foreign liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that the recovery has not been made from the possession of the petitioner. Counsel submits that petitioner is the owner of the motorcycle and due to this reason his name has surfaced in this case. He submits that the petitioner has sold the motorcycle to co-accused Subodh Kumar. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner is the owner of the motorcycle.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No.I, Gayaji, in connection with Bodhgaya P.S. Case No. 606 of 2017, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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