

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22632 of 2026

Arising Out of PS. Case No.-132 Year-2025 Thana- MIRGANJ District- Gopalganj

Nagendra Yadav Son of Sadanand Yadav R/o Village - Kharauni Khas, P.S.-
Mirganj, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Mirganj P.S. Case No. 132 of 2025 lodged on 18.03.2025, for the offence punishable under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023 and section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner and one unknown person. Total recovery of 36.400 litres of illicit 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 nothing has been recovered from the conscious possession of the petitioner and the recovery of alleged liquor has been made from a motorcycle. Counsel further submits that the name of the petitioner has come in this case only on the basis of secret information and disclosure made by local *chowkidar*. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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 Trial Court 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 B.N.S.S., 2023 to the satisfaction of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj, in connection with Mirganj P.S. Case No. 132 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found at any



stage that the petitioner has concealed the fact about his criminal antecedent(s), the Trial Court shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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