

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22753 of 2026

Arising Out of PS. Case No.-10 Year-2026 Thana- EXCISE JAGDISHPUR District- Bhojpur

Munna Yadav S/o- Ram Pravesh Yadav @ Ramprvesh Yadav Resident of
Village- Baburiya Math PS- Khodaganj dist-Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise Jagdishpur P.S. Case no. 10 of 2026 instituted for the offence under Sections 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 630.720 litres of illicit foreign liquor were recovered from a truck.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of



the petitioner. It is further submitted that the witnesses to the seizure list are police personnel and that the mandatory provisions of Section 105 of the BNSS were not complied with at the time of seizure. Learned counsel further submits that the petitioner is merely the owner of the truck and had entrusted the vehicle to a transporter. The driver of the seized truck was operating the vehicle under the instructions of the transporter, and the petitioner had no knowledge of the alleged transportation of illicit liquor. It is also submitted that the petitioner has no criminal antecedent.

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

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise Jagdishpur P.S. Case no.10 of 2026, he will be enlarged 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 learned Exclusive Special Excise Court No. II, Bhojpur at Ara, subject to the conditions as



laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of
the BNSS.

(Ashok Kumar Pandey, J)

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