

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31209 of 2026

Arising Out of PS. Case No.-381 Year-2025 Thana- DHANAHA District- West Champaran

Barjesh Kumar Yadav @ Brijesh Kumar Yadav @ Brajesh Kumar Yadav, S/O
Chanda Yadav, R/o Village- Redaha, Police Station- Bhitaha, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahbaj Alam, Advocate
Mr. Irfan Ahmad Ansari, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-05-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Dhanaha P.S. Case no.381 of 2025, registered under sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 23 litres of country liquor was recovered from the motorcycle of which the petitioner happens to be the registered owner while the petitioner managed to escape.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered either from the



petitioner's possession or from his motorcycle. He has been falsely implicated in the case. In fact he had sold the motorcycle prior to the date of occurrence, however the same had not been registered in the name of the purchaser. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner not having been arrested at the spot and especially his not having any criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dhanaha P.S. Case no.381 of 2025 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, Bagaha, West Champaran on the following condition :-

(I) If it subsequently transpires that the petitioner has an antecedent under the Bihar Prohibition and Excise Act, 2016, the prosecution will be at liberty to move this Court for



cancellation of bail granted to the petitioner.

(Partha Sarthy, J)

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