

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30072 of 2026

Arising Out of PS. Case No.-58 Year-2026 Thana- WAJIRGANJ District- Gaya

1. Guddu Kumar, son of Umesh Prasad Yadav @ Umesh Yadav, Resident Of Village -Yamunapur, P.S-. Wazirganj, District -Gaya Ji
2. Sankar Kumar @ Shankar Kumar, Son of Naresh Yadav, Resident of Village -Yamunapur, P.S-. Wazirganj, District -Gaya Ji.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sheo Nandan Prasad, Advocate
For the State	:	Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Wazirganj PS. Case No.58 of 2026 dated-16.02.2026, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per allegation, 60 liter of illicit liquor has been recovered from an open space called *ahar* and as per the hearsay, the Petitioner and other co-accused had fled away from the place of occurrence.

4. Learned counsel for the petitioners submit that the



Petitioners are innocent and have falsely been implicated in this case. He further submits that the recovery has been made from an open space accessible to the public at large.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner no.1 has been made accused in one other case, whereas the Petitioner no.2 has no criminal antecedents.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that the recovery has been made from open space, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Wazirganj PS. Case No.58 of 2026, subject to the conditions as laid down under Section 482 (2) of



the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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