

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29421 of 2026

Arising Out of P.S. Case No.-908 Year-2025 Thana- Excise P.S. District- Gaya

Dwarika Prasad Yadav S/o Mahadev Yadav R/o Village - Salaiya P.S - Salaiya
District - Gayajee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate.

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Excise P.S. Case No. 908 of 2025 registered for the offence punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. Allegation is of recovery of 2 litres of country made liquor from a motorcycle bearing Registration No. JH-03U-7410.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in the case. He has no concern either with the seized liquor or trade of liquor in any manner. The petitioner is the owner of the said motorcycle and he had given his motorcycle to the co-accused for some urgent work. The petitioner has clean antecedent.



5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R. and recovery is only 2 litres from the motorcycle of the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Excise P.S. Case No. 908 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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