

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29173 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- KORANSARAI District- Buxar

Ashok Yadav, S/O Sohan Yadav, R/O Vill - Kamdharpur, P.S.- Koransarai,
Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Koransarai P.S. Case No. 12 of 2026 dated 24.01.2026 instituted
for the offence punishable under Sections 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. Allegation is of recovery of total 5 litre country
made Liquor from a motorcycle bearing Reg. No. BR4457902
which was being driven by two co-accused persons who were
apprehended at the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
from the conscious possession of the petitioner rather the said



liquor was recovered from the possession of apprehended two co-accused persons. The petitioner has been made accused in this case only on the basis that he is owner of the said motorcycle. It is further submitted that the co-accused Hareram took motorcycle from the petitioner for doing his urgent work and as such, the petitioner had no knowledge about the intention of the co-accused. The petitioner has no role in this incident. Lastly, it has been submitted that petitioner has three criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Koransarai P.S. Case No. 12 of 2026, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Buxar subject to condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:-

1. Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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