

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32572 of 2026

Arising Out of PS. Case No.-93 Year-2026 Thana- NOORSARAI District- Nalanda

1. Manish Kumar @ Karu Yadav, S/o Suresh Yadav, R/o Village - Makanpur, P.S - Noorsarai, District - Nalanda
2. Sonu Yadav @ Sonu Kumar, S/o Rajballabh Yadav, R/o Village - Makanpur, P.S - Noorsarai, District - Nalanda
3. Subodh Yadav @ Sukhari Yadav, S/o Ramlakhan Yadav, R/o Village - Makanpur, P.S - Noorsarai, District - Nalanda
4. Prabhu Chauhan, S/o Rama Chauhan, R/o Village - Makanpur, P.S - Noorsarai, District - Nalanda
5. Akela Yadav, S/o Radhe Yadav, R/o Village - Makanpur, P.S - Noorsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambrish Kumar, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Noorsarai P.S. Case No. 93 of 2026 dated 15.02.2026, instituted
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. The allegation is of recovery of 85 litres country
made liquor kept in plastic bags and container from Village-
Makanpur which were thrown by 5-6 accused persons.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that nothing has been recovered either from the conscious possession or from the house of the petitioners rather the said illicit liquor has been recovered from an open place, which is accessible to all. The petitioners have been made accused in this case only on the basis of disclosure made by the local Chowkidar. Lastly, it has been submitted that petitioner nos. 1 & 4 have two criminal cases each against them, petitioner nos. 3 & 5 have one criminal case each against them and petitioner no. 2 has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

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 petitioners within a period of six weeks from today, in connection with Noorsarai P.S. Case No. 93 of 2026, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise-II/concerned court, subject to condition as laid down under Section 482(2) of the B.N.S.S as



also to 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.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the conclusion of trial in this case.

(Khatim Reza, J)

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