

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31978 of 2026

Arising Out of PS. Case No.-294 Year-2026 Thana- Excise P.S. District- Khagaria

Ghoghan Yadav, S/o Arjun Yadav, Resident of Village- Pakrail, Widyarthi Tola, P.S.- Maheshkhut, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Prakash, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2026

1. At the outset, petitioner's counsel is permitted to make necessary correction with regard to the address of the petitioner on the first page of the petition during the course of day.

2. Heard the parties

3. The petitioner seeks regular bail in connection with Khagaria Excise P. S. Case No. 294 of 2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

4. The main submissions advanced by the petitioner's counsel are that the petitioner is innocent and has been falsely implicated in the present case and the petitioner has no criminal antecedent and has been languishing in jail since 14.04.2026 and further the alleged recovery of foreign liquor was not made from the conscious possession of the petitioner rather as per the



FIR itself, the alleged bags and trolley bag were lying on road after being allegedly thrown. It is further submitted that there is no independent witnesses to the seizure list and the seizure list bears the FIR number on its top, which clearly indicates that the seizure list was prepared subsequently at the police station not at the place of occurrence and no videography or photography of the alleged search and seizure was conducted thereby violating the mandatory provision of Section 105 of BNSS.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

6. In the facts and circumstances of this case and considering the statements made in the petition as well as above submissions, coupled with petitioner's clean antecedent, nature of allegation and the custody period, this court is inclined to enlarge the petitioner on bail, accordingly, let the petitioner named-above be enlarged on bail in connection with Khagaria Excise P. S. Case No. 294 of 2026 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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