

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32548 of 2026

Arising Out of PS. Case No.-101 Year-2026 Thana- MUFFASIL District- Aurangabad

Sanjay Yadav Son of Late Hira Yadav Resident of Village- Jhikatiya, P.S.-
Aurangabad Muffasil, District- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Aman Vishal, Adv.

For the Opposite Party : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Aurangabad Muffasil P.S. Case No.101 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 100 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that recovery of alleged illicit liquor was made



from straws which was kept in open place and accessible to general public and as such it can be safely gathered that the recovery of alleged illicit liquor was not made from conscious possession of this petitioner. It is further submitted that seizure list also appears disputed being not supported by independent witness. While concluding the argument, it submitted that petitioner found involved in two more criminal cases, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum- Exclusive Special Judge, Excise Court No. 1,



Aurangabad (Bihar), in connection with Aurangabad Muffasil
P.S. Case No.101 of 2026, subject to the conditions as laid
down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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