

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33982 of 2026

Arising Out of PS. Case No.-44 Year-2026 Thana- SARSI District- Purnia

Nirmal Yadav @ Chhotu Yadav S/O Bhupendra Prasad Yadav R/O Vill.-
Masuria, P.S.- Sarsi, Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. Prosecution story in brief is that 2.25 litres of illicit
liquor has been recovered from the husk situated near the house
of this petitioner which is joint family property.

4. Learned counsel for the petitioner submits that the
alleged recovery is not made from the conscious possession of
the petitioner and place of recovery is nowhere related to this
petitioner. Accordingly, on the basis of his antecedent, the
petitioner has been roped in the present case.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

6. Considering the fact that the recovery and the seized liquor does not belong to this petitioner, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged 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 Exclusive Special Judge Excise Court-01, Purnea, in connection with Sarasi P.S. Case No. 44 of 2026, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Ajit Kumar, J)

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