

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34186 of 2026

Arising Out of PS. Case No.-16 Year-2022 Thana- GOPALGANJ TOWN District- Gopalganj

Govind Kumar @ Govind Yadav S/O Ramakant Yadav @ Ramakant
Chaudhary Resident of Village- Hira Pakad, PS- Yadopur, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in Gopalganj
Town P.S. Case No. 16 of 2022 registered under Sections 30(a),
41(i) of Bihar Prohibition Excise Act, 2016.

3. As per the prosecution story which has been lodged on
the basis of written report submitted by the informant to the
effect that while the informant was on evening patrolling for
seizure of liquor, he got secret information at around 18:40
hours that sale of illicit liquor at Bhibherwa Pokhara is going
on. After informing the senior officials, he proceeded for
verification of the said information, alongwith the Chowkidar at
around 19:20 hours. He saw one person coming on a scooty on
which, a jute bag was loaded. Upon seeing the police personnel,



the person who was riding the scooty fled away by leaving behind the scooty. In presence of the police personnel, total 105.785 litres of foreign liquor English wine was recovered from the scooty bearing registration No. BR 28M 5925. The local chowkidar identified the person who fled away as the petitioner.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed the said offence. Nothing has been recovered from the conscious possession of the petitioner and he is neither the owner of the liquor nor the owner of the scooty. His name has transpired in the present case only on the identification of the local chowkidar. He submits that the petitioner has got clean antecedent.

4. The Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

5. Having heard the rival submissions and after going through the records, it appears that 105.785 litres of English liquor was recovered from a scooty, however, the petitioner was not arrested or present at the place of occurrence. He has been made accused in the present case only on the identification made by the local chowkidar and the persons who were present at the place of occurrence. The petitioner has got clean



antecedent.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-SPL. Excise Court No. 1, Gopalganj in connection with Gopalganj Town P.S. Case No. 16 of 2022, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(I) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the Court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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