

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33969 of 2026

Arising Out of PS. Case No.-61 Year-2026 Thana- EXCISE SIMRAHI District- Supaul

Dinesh Kumar Yadav @ Dinesh Yadav Son of Mishri Yadav Resident of
Village-Mahua, Ward No.03, P.S.-Nirmali, District-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shadab Alam Wazdi, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Excise Simrahi P.S. Case No. 61 of 2026 registered for the offence under Sections 30(a), 32(3), 41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the recovery is of total 342 litres of Nepali country-made liquor from a potato field.

4. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in this case. It is next submitted that the name of the petitioner has come in the confessional statement of the co-accused. Petitioner is not accused in any other case under the



Excise Act.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Exclusive Excise Court-II, Supaul/ concerned Court below in connection with Excise Simarhi P.S. Case No. 61 of 2026, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- in Ramakrishna Math, Bhatta Bazar, Purnea and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

9. At the time of accepting the bail bonds of the petitioner, the Court below shall verify the statement of the



petitioner that he is not accused in any other case under the Excise Act. The bail bonds of the petitioner shall only be accepted if it is found that he is not accused in any other case under the Excise Act.

10. As a condition of this order, the petitioner after being released on bail, is directed to mark his attendance at Nirmali Police Station, District- Supaul on first and third Sunday of every month. Any default in appearance at the Police Station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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