

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36553 of 2026**

Arising Out of PS. Case No.-238 Year-2026 Thana- KHUSRUPUR District- Patna

1. Magan Yadav @ Suraj Yadav, Son of Munna Yadav @ Munna Singh
2. Anand Kumar, son of Munna Yadav @ Munna Singh
3. Rahul Kumar @ Rahul Singh, son of Pappu Yadav
4. Surendra yadav @ Sulindra Singh, son of Late Lala Singh  
All resident of Village- Sukarbeg Chak, P.S. -Khusrupur, District -Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      08-06-2026                      Heard learned counsel for the petitioners and  
  
learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR  
  
and apprehending their arrest in connection with Khusrupur  
  
P.S. Case No.238 of 2026 registered under Section 30(a) of  
  
the Bihar Prohibition and Excise Act.

3. Allegation against the petitioners is to engage in  
  
illegal trade/manufacturing of illicit liquor, where there is  
  
recovery of 280.905 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for  
  
petitioners that the claim of prosecution that the recovery of



illicit liquor was made from a field, which belongs to Surendra Yadav is a complete incorrect fact, as the land in issue from where recovery of illicit liquor was made is not connected in any manner with petitioner no.1. It is submitted that as alleged recovery was made from an open place, accessible by general public, therefore, it can be safely said that the alleged recovery was not made from conscious physical possession of any of the petitioners. It is said that all petitioners are men of clean antecedent.

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

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of petitioners, rather from an open place, accordingly, all above-named petitioners, who are men of clean antecedent, in the event of their arrest or surrender before the court below within a period of four weeks from today, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Special Judge,  
Excise, Patna City in connection with Khusrupur P.S. Case  
No.238 of 2026, subject to the conditions as laid down  
under Section 438(2) of the CrPC/under Section 482(2) of  
the BNSS.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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