

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36579 of 2026

Arising Out of PS. Case No.-93 Year-2026 Thana- KESARIA District- East Champaran

Umesh Yadav, S/o Hira Rai, Resident of Village-Kadhan, P.S.-Kesariya,
Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2026 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 Kesariya P.S.
Case No.93 of 2026 registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 203 liters of IMFL/country-made liquor from
Kadhan Diyara area.

4. It is submitted by learned counsel appearing for
petitioner that recovery of illicit liquor was made from a
bush grown in Kadhan Diara area (river bed), which is not



connected in any manner with this petitioner and merely on the basis of suspicion and disclosure made by co-villagers and local choukidar, the petitioner was implicated with present crime in question and moreover, the co-accused persons, namely, Rakesh Kumar and Achchelal Kumar Yadav have been granted anticipatory bail by this Court through Cr. Misc. No.30187 of 2026 vide order dated 11.05.2026.

5. Ms. Sharda Kumari, learned APP opposed the prayer of anticipatory bail to the petitioner.

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 this petitioner rather from open river bed, 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 Exclusive Special, Excise Court No.3, East Champaran at Motihari in connection with Kesariya P.S. Case



No.93 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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