

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36794 of 2026

Arising Out of PS. Case No.-221 Year-2026 Thana- BELAGANJ District- Gaya

1. Binod Yadav @ Vinod Yadav S/o Karu Yadav @ Shakal Deep Yadav
Resident of Village - Dalli Bigha, P.S.- Belaganj, District - Gaya Ji
2. Tuntun Kumar Chaudhary S/o Chotu Chaudhary Resident of Village -
Madan Bigha, P.S.- Chandauri, District - Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 Heard the parties.

2. The accused/petitioners are named in the F.I.R.

and apprehending their arrest in connection with Belaganj P.S.

Case No. 221 of 2026 registered for the offences punishable

under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioners is to be

engaged in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 35 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the

petitioners submitted that recovery of illicit liquor was made from

the bed of River Falgu, which is an open place and easily

accessible by general public. It is submitted that without having

any cogent material merely on the basis of suspicion name of



petitioner transpired with the present recovery of illicit liquor by local chowkidar. While concluding the argument it is submitted that both petitioners found involved in one more case, where they are on bail.

5. Learned APP, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above as recovery of illicit liquor prima-facie not appears to made from the conscious physical possession of above named petitioners, accordingly both-above named petitioners, in the event of their arrest or surrender before the learned trial court within a period of four weeks, are directed to be released on bail, 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 Exclusive Special Excise Court No. 2, Gaya Ji/concerned trial court where the case is pending in connection with Belaganj P.S. Case No. 221 of 2026 of subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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