

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40217 of 2026**

Arising Out of PS. Case No.-279 Year-2025 Thana- RAGHUNATHPUR District- Siwan

Amit Yadav @ Amit Kumar Yadav S/o Shiv Nath Yadav @ Shree Nath Yadav
Resident of Village -Sarharwa, P.S.- Darauli, District- Siwan

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kumari Anupam, Advocate, Advocate
For the Opposite Party : Mr. Md. Iftekhar Mahmood, APP

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

2 23-06-2026 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 Raghunathpur P.S. Case No.279 of 2025 registered under Sections 30(a) and 41(1) 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 126 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of petitioner transpired on the



basis of suspicion made by local *chowkidar*. It is submitted that the alleged motorcycle which was used for carrying alleged liquor does not belong to this petitioner. It is submitted that the recovery of illicit liquor was not made from conscious physical possession of this petitioner. Explaining criminal antecedent, it is submitted that the petitioner found involved in three more criminal cases.

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

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, 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 Court of Exclusive Special Excise Court No. II, Siwan, in connection with Raghunathpur P.S. Case No.279 of 2025, 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)

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