

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36833 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- BHAPTIAHI District- Supaul

Jagdish Yadav, S/o Late Harkishun Yadav, Resident of Village- Chandpiper,
Ward No. 08, P.S.- Bhaptiyahi (Bhaptai Sarai), District - Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 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 Bhaptiyahi (Bhaptai Sarai) P.S. Case No.87 of 2026 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 99 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that alleged recovery of illicit liquor was made from back side of the house near to the toilet, which is an open place and accessible by general public and, therefore, it can be said safely that recovery of illicit liquor was not made from



conscious physical possession of this petitioner. The petitioner claimed clean antecedent.

5. 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, accordingly, the petitioner, above-named, who is a man of clean antecedent, 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 P.O., Exclusive Special Excise (Judge), Court-1, Supaul in connection with Bhaptiyahi (Bhaptai Sarai) P.S. Case No.87 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.)

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