

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51099 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- BARH District- Patna

Ranjeet Yadav S/o Subelal Yadav R/o Village - Purani Bazar, P.S. - Barh, Dist.
- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Barh P.S. Case No. 87 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. At the outset, learned Advocate for the petitioner submits that on account of inadvertence in paragraph number 3, the P.S. case number has wrongly been mentioned, which has been rectified by filing a supplementary affidavit.

4. Acting on a tip-off regarding sale of illicit wine, the police conducted a raid in the Line Hotel and in course of search, 08 liters of country-made liquor was recovered from a hotel room of Subelal Yadav. In course of raid, one person was



also apprehended. The petitioner is said to be the owner of the hotel in question.

5. Learned Advocate for the petitioner submitted that only on account of the fact that the petitioner being son of Subelal Yadav, who has died much earlier, his name has been implicated in this case on the pretext that it is he, who runs the hotel. However, the fact is otherwise. The hotel is being run by manager and he has no concern with the affairs of the hotel. There is complete denial of any recovery of illicit wine from the hotel. Moreover, there is no compliance of Sections 103 and 105 of the BNSS. Neither the witnesses are independent nor at the time of search and seizure, video recording has been conducted and, as such, *mala fide* of the prosecution is writ large. The petitioner though bears one criminal antecedent, however, he undertakes that he will fully co-operate in the proceeding of the Court.

6. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

7. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the materials available on record, especially the fact that the hotel was being managed by manager and the



petitioner has no direct involvement in day-to-day affairs of the hotel, besides the defiance of Sections 103 and 105 of the BNSS, and lack of materials which attract the rigors to maintain the anticipatory bail, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Bihar, Patna in connection with Barh P.S. Case No. 87 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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