

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38236 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- Excise P.S. District- Saharsa

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Amit Kumar Yadav @ Amit Kumar S/o Udanand yadav @ Sadanand Yadav
@ Sudo Yadav Resident of Village - Padrahi Ward no. -01,P.S.- Simri
Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Saharsa Excise P.S. Case No. 93 of 2025 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the recovery is of about 430 litres of foreign liquor from a cowshed which belongs to the petitioner.

4. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in this case. It is next submitted that the liquor seized from his cowshed does not belong to him. Petitioner has



one criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Saharsa/ concerned Court below in connection with Saharsa Excise P.S. Case No. 93 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- in Ramakrishna Math, Bhatta Bazar, Purnea and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

9. At the time of acceptance of the bail bonds, the court below shall verify the petitioner's statement that he has



only one criminal antecedent and that the said antecedent does not relate to an offence under the Excise Act. The bail bonds of the petitioner shall be accepted only upon verification that he has no criminal antecedent other than the aforesaid case.

10. As a condition of this order, the petitioner after being released on bail, is directed to mark his attendance at Simri Bakhtiyarpur Police Station, District- Saharsa on every Sunday of the month. Any default in appearance at the Police Station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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