

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42076 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- BELAGANJ District- Gaya

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1. Pintu Yadav S/o Shiv Nandan Yadav Resident of village - Dalli Bigha, P.S - Belaganj, District - Gaya
 2. Sita Ram Yadav S/o Siya Charan Yadav Resident of village - Dalli Bigha, P.S - Belaganj, District - Gaya
 3. Ashok Yadav S/o Rajesh Yadav Resident of village - Dariyapur, P.S - Belaganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Adv.
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Belaganj P.S. Case No. 114 of 2026 lodged on 25.02.2026, for the offence punishable under Sections 30(a), 30(c) & 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending in the Court of Exclusive Special Excise Court No.2, Gayaji.

3. As per the prosecution, FIR has been lodged against three named accused persons (the present petitioners). Total recovery of 30 litres of country made liquor has been made,



which is the subject matter of the present case.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioners and the alleged recovery has been made near the *Falgu* river. He submits that the petitioners have been falsely implicated in this case on the basis of disclosure made by the area *chowkidar* who has inimical terms with the petitioners. He further submits that the petitioner nos. 1 & 3 have one criminal antecedent each in which they are on bail and the petitioner no. 2 has three criminal antecedents and in all the cases, he is also on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that all the three petitioners have criminal antecedents which is registered under Excise Act and this aspect must be taken into consideration.

6. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners stand rejected.

7. However, if petitioners surrender before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on



their surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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