

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45984 of 2026

Arising Out of PS. Case No.-373 Year-2025 Thana- UCHKAGAON District- Gopalganj

Durgesh Yadav @ Durgesh Kumar Yadav S/o Shivnath Yadav @ Shreenath
Yadav R/o Vill- dahibhata, P.S.- Uchkagaon, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Uchkagaon P.S. Case No. 373 of 2025 registered for the offences punishable under Section 30(a) of Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 38 litres of IMFL/country made liquor.

4.Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from sack and petitioner is not connected in any manner with recovery of illicit liquor. It is submitted that petitioner was not arrested on the spot and nothing was recovered from the conscious possession of this



petitioner. It is submitted that the name of petitioner transpires on the basis of disclosure made by unknown source to Police. Petitioner found involved in one more criminal case where he is on bail .

5 Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Addl. Sessions Judge XIII, cum Spl. Excise Court No. I, Gopalganj /concerned Court, where the case is pending in connection with Uchkagaon P.S. Case No. 373 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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