

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41998 of 2026

Arising Out of PS. Case No.-501 Year-2023 Thana- WAJIRGANJ District- Gaya

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Anil Kumar @ Anil Yadav, S/o Karu Yadav, Resident of Village- Raengaini,
P.S- Wazirganj, District- Gaya,

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Wazirganj

P.S. Case No.501 of 2023 registered under Sections 30(a)

and 45 of the Bihar Prohibition and Excise Amendment Act,

2018.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 1166 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the alleged recovery was made from a



pick-up van bearing Registration No. BR02T-6692. It is further submitted that the petitioner was not apprehended from the spot and has been implicated as an accused solely on the allegation that he was the driver of the seized vehicle, without there being any independent material to establish his involvement in the alleged offence. It is also pointed out that nothing has been recovered from the conscious possession of the 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 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 Exclusive Special Excise Court No.-5, Gaya in



connection with Wazirganj P.S. Case No.501 of 2023,
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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