

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41841 of 2026

Arising Out of PS. Case No.-444 Year-2025 Thana- Excise P.S. District- East Champaran

Sunil Yadav @ Suneel Yadav Son of Lalbabu Yadav Resident of Village -
Kotwa, P.S.- Kotwa, District - East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amit Kumar, Advocate

For the Opposite Party : Mr. Braj Kishore Pd., (App)

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 named in the FIR and apprehending his arrest in connection with Excise P.S. Case No.444 of 2025 registered under Sections 30(a) and 44 of 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 5 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of petitioner arrayed solely for the reason that the petitioner is the owner of motorcycle



bearing Registration No. BR05L 8911, which was used by his minor son, namely, Nitesh Kumar, aged about 15 years. It is further submitted that the petitioner is not in any way connected with the alleged seized liquor and he has been falsely implicated in the present case due to village politics. It is also submitted that the petitioner was not present at the place of occurrence. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. 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 note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, 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 Court of Exclusive Special Excise Judge- 2, East
Champanan (Motihari), in connection with Excise P.S. Case
No.444 of 2025, 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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