

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43059 of 2026

Arising Out of PS. Case No.-334 Year-2025 Thana- CHAKAND District- Gaya

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Bhui Lal Yadav @ Shiv Janam Yadav Son of Bali Yadav @ Ram Bali Yadav
R/o village - Tineri, P.S.- Chakand, District - Gaya Jee.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Brijmohan Das, Advocate
For the Opposite Party : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 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 Chakand P.S. Case No.334 of 2025 registered under Section 30(a) of Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 50 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the alleged recovery of illicit liquor was made from forest area of village Tineri which is an open



place accessible to general public. It is also submitted that petitioner was not present at the spot and also the petitioner is not in any way connected with the said liquor. It is further submitted that name of this petitioner arrayed solely on the disclosure made by the local people of village. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Explaining criminal antecedent, it is submitted that the petitioner found involved in three more criminal cases, where he is on bail.

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, 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 Court No. 4, Gaya, in connection with Chakand P.S. Case No.334 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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