

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44101 of 2026

Arising Out of PS. Case No.-20 Year-2025 Thana- SALAIYA District- Aurangabad

Govind Yadav S/o Chandradeo Yadav R/o vill - Gajraj Bigha, P.S.- Salaiya,
Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Magan Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and

learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Salaiya P.S. Case No. 20 of 2025 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, police received information about manufacturing of illicit liquor on Chalho Hill. A raid was conducted and some persons fled away seeing the police party and recovery of 350 litres of country made liquor was made from the spot. From the shepherd and local people, the name of the petitioner and other co-accused persons came up for being involved in the manufacturing of illicit liquor and



selling.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner, who was not apprehended from the spot. No one saw the petitioner running away from the spot. There is non-compliance of Section 105 BNSS about search and seizure. The petitioner is having antecedent of one case of similar nature in which he is on bail and he is in custody since 19.05.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and also further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge -cum- Exclusive Special Judge, Excise Court No. 1, Aurangabad/concerned Court in



connection with Salaiya P.S. Case No. 20 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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