

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43762 of 2026

Arising Out of PS. Case No.-284 Year-2026 Thana- BAIRIYA District- West Champaran

Abhishek Yadav, Son of Balistar Yadav, R/O Village- Machhargawa, Ward no. 12, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-07-2026 Heard Mr. Raki Alam, learned counsel appearing on behalf of the petitioner and Mr. Braj Kishore Pd, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bairiya P.S. Case No. 284 of 2026 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 17.280 litres of illicit liquor from a heap of maize crop near Machhargawa Mandir Chhat ghat.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged seized liquor nor he is involved in trade or consumption of illicit



liquor in any manner. The name of the petitioner has been disclosed by local *chaukidar*. The recovery was made from near a heap of maize crop near Machhargawa Mandir Chhat ghat, which is an open place and easily accessible to anyone. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, the fact that the recovery of 17.280 litres of illicit liquor was made from near a heap of maize crop near Machhargawa Mandir Chhat ghat, which is an open place and easily accessible to any one and also the fact that the State has failed to implement its liquor policy in its true spirit, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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 District Court where the case is pending, in connection with Bairiya P.S. Case No. 284 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify



the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The present bail application is disposed of.

(Purnendu Singh, J)

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