

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50306 of 2026

Arising Out of PS. Case No.-294 Year-2026 Thana- BAIRIYA District- West Champaran

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1. Kundan Yadav S/o Nand Kishore Yadav @ Nand Kishor R/o Village - Machhargawa Ward No. 12, P.S - Bairiya, District - West Champaran
 2. Abhishek Kumar @ Abhishek Yadav S/o 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, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 29-07-2026 Learned counsel for the petitioners and the Learned
counsel for the APP are present.

2. The petitioners apprehend their arrest in connection with Bairiya P.S. Case No.294 of 2026 order dated 18.06.2026, registered for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that on 09.06.2026, the police officials led by A.S.I. Chandan Tiwari received a confidential information regarding English wine hidden near the house of Kundan Yadav in Makka Thath. Upon reaching the location at Phatuchhappar Chowk, the police observed two individuals fleeing the scene after concealing articles in a stack of maize stalks. The local Chaukidar, Chandradeo Mahto, identified the fleeing suspects as Kundan Yadav



and Abhishek Kumar. During the specific search, 146.88 liter of English wine was recovered and seized by the Police.

4. The Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel for the petitioners further submits that petitioner no. 1 has one criminal antecedent, and petitioner no. 2 has three criminal antecedents.

5. The Learned APP for the State vehemently opposes the prayer for the grant of bail to the petitioners.

6. Taking into account and considering the criminal history of the petitioners, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioners, is hereby, rejected.

8. However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Alok Kumar, J)

Anand/-

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