

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52656 of 2026

Arising Out of PS. Case No.-77 Year-2026 Thana- Bhittha District- Sitamarhi

=====

Dilkhush Yadav S/o Ram Kisun Ray @ Ram Kishun Ray Resident of Village-
Bantolwa, ward no. 16 @ Sundarpur Bantolwa, ward no. 16, P.S.- Bhittha
(New) @ Sursand (old), Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

=====

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing for the State.

2. Petitioner is in custody in connection with Bhittha
P.S. Case No. 77/2026 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation in the FIR, total 153 litres
Nepali liquor has been recovered from the open space (bushes)
of the village.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to village politics. He further submits that nothing has
been recovered from the conscious possession of the petitioner.
He further submits that the petitioner has been dragged in this



case merely on the basis of suspicion. He further submits that, in fact, the alleged recovery has been made from the open space (bushes) and the petitioner has no concern with the recovered liquor in any manner. He next submits that the petitioner is in custody since 24.06.2026 and he has got clean antecedent, as per paragraph 3 of the bail petition.

5. Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner 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 the learned Exclusive Special Excise Court no. 2, Sitamarhi in connection with Bhittha P.S. Case No. 77/2026.

(Girijish Kumar, J)

dhaneshwar/-

U		T	
---	--	---	--

