IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66181 of 2026

CNR No. BRHC010831492026

Arising Out of PS. Case No.-376 Year-2023 Thana- KONCH District- Gaya

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Arbind Kumar Yadav S/O Shibratan Yadav R/O Village- Kishunpur, P.S.- Pariya, Distt.- Gaya.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

4 04-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Konch P.S. Case No. 376 of 2023 dated 04.08.2023 registered for the offences punishable under Section 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the allegation, 55 litres of country made liquor was recovered from a motorcycle. The name of the petitioner transpired in this case on the basis of the fact that a SIM card standing in the name of the petitioner was recovered from the dickey of the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. It has

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further been submitted that nothing has been recovered from the conscious possession of the petitioner. Moreover, the motorcycle, from which the alleged recoveries have been made, does not belong to the petitioner, although the SIM card of the petitioner was missing and the petitioner does not know as to how under what circumstances, the same was recovered. It has further been submitted that the procedure prescribed under Section 103/105 of the B.N.S.S. has not been followed. It has lastly been submitted that although the petitioner was made accused in two other cases, but he is on bail in both the cases.

5. Learned counsel for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the case as well as the nature of materials against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 concerned, Gaya, in connection with Konch P.S. Case No. 376 of 2023, subject to conditions as laid down under section 482(2) of the B.N.S.S,

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with a condition :-

(i) One of the bailors of the petitioner should be a close family member.

8. The application stands allowed.

(Praveen Kumar, J)

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