IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77068 of 2026

CNR No. BRHC011096252026

Arising Out of PS. Case No.-472 Year-2026 Thana- ARARIA District- Araria

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Amodh yadav @ Amod Yadav @ Amodh Wab son of Rameshwar yadav Resident Of Village- Kharahiya Basti, Ward No 10, Police Station And District -Araria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP on behalf of the State.

2. This is an application for grant of regular bail to the petitioner who has been made accused in connection with Araria P.S. Case No. 472 of 2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, there is a recovery of 312 litres of beer and 21 litres of foreign liquor from the joint house of the petitioner, co-accused Bambam Kumar and other family members.

4. Learned counsel for the petitioner submits that the

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petitioner is quite innocent, has committed no offence and has falsely been implicated in this case. No recovery has been made from the conscious possession of the petitioner rather the recovery is from the joint house where several family members reside.

5. It is further submitted that the seizure list was not prepared in accordance with law and the witnesses were the members of the raiding party. No independent witness signed the alleged seizure list. The petitioner further states that he had no knowledge of the illicit liquor and has no involvement in the illicit liquor business.

6. The petitioner is languishing in judicial custody since 13.09.2026 and having clean antecedent.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, 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 Exclusive Special Judge, Excise- I, Araria in connection with Araria P.S. Case No.

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472 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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