**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.78097 of 2026**

**CNR No. BRHC011129812026**

Arising Out of PS. Case No.-460 Year-2025 Thana- AKBARPUR District- Nawada

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Sanjay Yadav S/o Chhedan Yadav R/o Village - Dadkol, Manjhne, P.S. - Ganwan, District - Giridih, Jharkhand.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Akbarpur P.S. Case No. 460 of 2025 lodged on 12.10.2025, for the offence punishable under Sections 30(a) & 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, FIR has been lodged against the driver and owner of a motorcycle. Total recovery of 244 litres of country made liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits

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that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from a motorcycle. Counsel further submits that name of the petitioner has figured in this case only due to the reason that he is the owner of the seized motorcycle. He submits that the co-villager has taken the motorcycle of the petitioner to purchase some medicine and petitioner was unaware that his motorcycle was used for illegal work. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the petitioner has clean antecedent.

6. As such, in the present facts and circumstances of this case, let the above-named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Excise Court-I, Nawada, in connection with Akbarpur P.S. Case No. 460 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal

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antecedent(s) of the petitioner, and in case, it is found that the petitioner has concealed his criminal antecedent(s), the Trial Court shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

**(Dr. Anshuman, J)**

Divyansh/-

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