

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87733 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- BHAIROGANJ District- West
Champaran

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Naresh Uraon @ Naresh Urao Son of Late Shankar Uraon Resident of
Village- Madrahani, P.S.- Bhairoganj, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suryakant Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhairoganj P.S. Case No.144 of 2025, F.I.R dated 19.10.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 19.10.2025 at about 5:10 p.m., Sipahi Amardeep Kumar, along with other police personnel conducted a raid at the petitioner's residence in connection with liquor mafia activities. A person allegedly identified as the petitioner fled from the back door on seeing the police. Local people informed the police of his identity but



refused to act as witnesses, following which two Sipahis were made witnesses. During the search, 150 litres of country-made liquor were recovered from a bamboo grove located behind the petitioner's house. The liquor was seized and a seizure list was prepared. After conducting further raids, the police returned to the police station at about 10:10 p.m. and handed over the seized liquor along with a written application to the S.H.O. for necessary legal action.

4. Learned counsel for the petitioner submits that the place of recovery is from a bamboo grove, which is an open space and is accessible to general public, and the alleged bamboo groove is situated far away from the house of the petitioner. The search and seizure is said to have been made without adhering to the procedures / provisions prescribed under the B.N.S.S. Act. It has further been submitted that the petitioner has one criminal antecedent akin to the instant case but he is on bail in the said case.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or



premises belonging to the petitioner and place of recovery is an open space and accessible to general public, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bagaha, West Champaran, in connection with Bhairoganj P.S. Case No.144 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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