

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18554 of 2026

Arising Out of PS. Case No.-838 Year-2025 Thana- GARKHA District- Saran

Anil Nut @ Anil Kumar Nat @ Anil Kumar Nut S/o Chhathi Lal Nat R/o vill
- Mithepur, P.S.- Garkha, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2026

1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Garkha Police Station Case No. 838 of 2025, dated 11.11.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.
3. The prosecution case, as per the First Information Report, is that on 11.11.2025 at about 06:10 P.M., during patrol, the police received secret information that the petitioner was engaged in illegal liquor trade at Nayka Bypass, Mithepur. Upon the information, the police reached at the place of occurrence, where a person, on seeing the



police, abandoned a plastic bag and fled away.

Upon search, 17.5 litres of country made illicit liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. He next submits that the petitioner has been made accused merely on suspicion. He further submits that illicit liquor has not been recovered from conscious possession of the petitioner and/or premises belonging to him, rather, illicit liquor has been recovered from near Mithepur Nayka Bypass which is open space and is accessible to all and sundry.
5. Regards being had to the submission made by the parties and taking into consideration the fact that illicit liquor has been recovered from near bypass which is open space and is accessible to all and sundry, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below



within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge -cum- Exclusive Special Court Excise Act – I, Saran at Chapra, in connection with Garkha Police Station Case No. 838 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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

