

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24076 of 2026

Arising Out of PS. Case No.-36 Year-2026 Thana- BARARI District- Katihar

Parmanand Maraiya S/o Late Bihari Mistary Resident of Village- Sohra Tola,
Jagdishpur, P.S - Barari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-04-2026 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 Barari Police Station Case No. 36 of 2026, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. As per the prosecution case, on 07.02.2026, police conducted a raid at Sohra Tola, Jagdishpur based on secret information about illegal liquor sale by Parmanand Maraiya/petitioner. The accused fled from the spot. His identity was confirmed by a local ward member. During search of his house, 60 liters of illicit country-made liquor were recovered.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. No recovery of illicit liquor has been made from his conscious possession, and the alleged premises does not belong to him. Petitioner has been made accused solely on the basis of disclosure made by a Panchayat Ward Member, who, due to prior and political enmity arising out of the forthcoming Panchayat elections, has falsely named the petitioner. Petitioner is having no criminal antecedent.

5. After having heard learned Counsel for the parties and taking into consideration the fact that from seizure list it is apparent that illicit liquor has been recovered from the house of the petitioner as such *prima facie* offence under the Bihar Prohibition and Excise Act, 2016 is made out and the Hon'ble Full Bench of this Court has held that anticipatory bail in such cases is not maintainable. Accordingly, in view of the law laid down by the Full Bench in Criminal Appeal (SJ) No. 431 of 2019, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. However, if the petitioner surrenders within a period of four weeks from today and seeks regular bail, the concerned District Court may decide the same on the same date keeping in view that the petitioner is having no criminal antecedent.



7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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