

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27640 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- BHAIROGANJ District- West Champaran

Motilal Urao @ Motilal Uraon S/o Ardhu Uraon R/o Village - Madrahani, P.S.
- Bhairoganj, Dist. - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suryakant Kumar, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 06-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bhairoganj P.S. Case No. 45 of 2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution story which has been lodged on the basis of the written statement of the informant to the effect that while he was on patrolling duty he got a secret information that the petitioner is indulged in selling liquor in his house. When he reached near the house of the petitioner, he saw one person started fleeing away on seeing the police personnel. The police tried to apprehend him, but he fled away from there. On inquiry from the son of the Chowkidar, the name



of the petitioner transpired in this case, as he also identified the petitioner as the person who fled away on seeing the police personnel. On search, 13 litres of country made liquor was found and also some articles related to manufacturing of liquor were recovered behind the house of the petitioner.

4. The learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. No incriminating article or liquor has been recovered from the house of the petitioner. He further submits that the recovery has been made from behind the hut of the petitioner and the same does not belong to this petitioner. He further submits that while preparing the seizure list, section 103 of the B.N.S.S. has been violated and moreover, the petitioner has got clean antecedent.

5. The learned A.P.P. for the State opposes the prayer for bail.

6. Having heard the rival submissions of the parties and after going through the records, it appears that 13 litres of country made liquor was seized behind the hut of the petitioner and the petitioner was not apprehended on the spot, having considered the same, let the petitioner, above named, in the event of arrest or surrender within a period of six 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 Special Judge, Excise, Bagaha, West Champaran in connection with Bhairoganj P.S. Case No. 45 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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