

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34340 of 2026

Arising Out of PS. Case No.-60 Year-2026 Thana- EXCISE MAHARAJGANJ District-
Siwan

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1. Chunmun Nat S/O Phagu Nat Resident of Village- Shekhpura, P.S.- Goriakothi, Dist.- Siwan
 2. Vishal Nat S/O Prabhu Nat Resident of Village- Shekhpura, P.S.- Goriakothi, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamli Kumari, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 18-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Maharajganj P.S. Case No. 60 of 2026, dated 22.02.2026 registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, upon secret information, the informant along with the police force conducted a raid at Sheikhpura Tola. During the raid, one person, namely Pappu Kumar, was arrested and he disclosed the name of the petitioners before police while in police custody



alleging that they were the persons who fled away from the place of occurrence. As per the seizure list, altogether 330 litres of illicit country-made liquor and 4650 litres of java mahua was recovered from an open place.

4. Learned counsel for the petitioners has submitted that petitioners were not arrested at the spot and the name of the petitioners transpired on the basis of confessional statement of co-accused before police while in police custody. It has further been submitted that the place of seizure does not belong to the petitioners. It has further been submitted that the recovery has been made from an open place which is accessible to all. It has further been submitted that search and seizure is in violation of Section 103 of B.N.S.S. It has further been submitted that the name of the petitioners have been implicated in the present case through the mouth of the confessing co-accused person. It has lastly been submitted that petitioners have been made accused earlier in two other cases.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Siwan in connection with Maharajganj P.S. Case No. 60 of 2026, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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