

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34357 of 2026**

Arising Out of PS. Case No.-349 Year-2026 Thana- AHIYAPUR District- Muzaffarpur

Shankar Bihari @ Shankar Kumar S/o Sonelal Singh R/o Village - Patiyasa,  
P.S - Garha, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Sagar Kumar, Advocate  
For the Opposite Party : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      06-07-2026                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Ahiyapur P.S. Case No.349 of 2026 registered under Sections 30(a) and 41 of Bihar Prohibition and Excise Act, 2022 (Amended).

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 4798.08 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged illicit liquor was made from various vehicles including Truck bearing



Registration No. UP78CN- 2972, Pickup Van bearing  
Registration No. BR06GA 4921, Pickup Van bearing  
Registration No. BR06T- 2731 and another pickup bearing  
Registration No. BR06GF 5405. It is also submitted that  
name of petitioner arrayed solely on the disclosure made by  
the local *chowkidar*. It is further argued that petitioner is  
neither connected with the said liquor nor was the petitioner  
present at the spot and it can be safely said that recovery of  
illicit liquor was not made from conscious possession of this  
petitioner. It is also submitted that the seizure list also  
appears doubtful being not supported by independent  
witnesses rather than by police personnel. Explaining  
criminal antecedent, it is submitted that the petitioner found  
involved in three criminal cases, where he is on bail.

5. Learned APP opposed the prayer of anticipatory  
bail to the petitioner.

6. In view of aforesaid factual submissions and by  
taking note of the fact as recovery of illicit liquor *prima facie*  
not appears to be made from physical possession of this  
petitioner, accordingly, the petitioner, above-named, in the



event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Muzaffarpur, in connection with Ahiyapur P.S. Case No.349 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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