

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36807 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- CHANAN District- Lakhisarai

1. Khelo Yadav, S/o Munilal Yadav, R/o Village - Jankidih, P.S.- Bannubagicha, District- Lakhisarai
2. Kailu Kora, S/o Late Prameshwar Kora, R/o Village - Kachhua, P.S.- Chanan, District - Lakhisarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Md. Shadab Alam Wazdi, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 10-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with Chanan

P.S. Case No.39 of 2026 registered under Section 30(a) of

the Bihar Prohibition and Excise Amendment Act, 2022.

3. Allegation against the petitioners are to engage

in illegal trade/manufacturing of illicit liquor, where there is

recovery of 50 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioners that the seized illicit liquor was recovered



from *bushes*, which is an open place accessible to the general public and, therefore, it cannot be said that the alleged recovery was made from the conscious possession of the petitioners. It is further submitted that seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. It is also pointed out that the name of the petitioners surfaced solely on the disclosure made by a local Chaukidar. The petitioner no.1 has six criminal antecedent, whereas petitioner no.2 has two criminal antecedent, in which, they are on bail.

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

6. In view of aforesaid factual submissions and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of these petitioners, accordingly, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to



the satisfaction of the learned District and Additional Sessions Judge-IV-cum-Special Excise Court-I, Lakhisarai in connection with Chanan P.S. Case No.39 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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