

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36514 of 2026

Arising Out of PS. Case No.-238 Year-2026 Thana- KHUSRUPUR District- Patna

1. Mitranjan Kumar S/o Biyendra Singh @ Bijendra Singh @ Munna Singh @ Munna Yadav
2. Bhutta Kumar @ Amar Kumar @ Anand Kumar S/o Biyendra Singh @ Bijendra Singh @ Munna Singh @ Munna Yadav
3. Bijendra Singh @ Biyendra Singh, S/o Late Anuj Singh @ Anup Singh
All are resident of Village - Sukarbeg Chak, P.S. - Khusrupur, District -Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2026 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 Khusrupur

P.S. Case No.238 of 2026 registered under Section 30(a) of

the Bihar Prohibition and Excise Act.

3. Allegation against the petitioners is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 807.925 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that recovery



was made from open maize field of petitioner no.3 whereafter the name of petitioners have been disclosed by nearby people out of local dispute and differences. It is pointed out that petitioner nos.1 and 2 are son of petitioner no.3 and merely as they are son of petitioner no.3, they were implicated with present recovery of illicit liquor. It is pointed out that the maize field is an open place, which is accessible by general public and therefore, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of the petitioners.

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

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of the petitioners, rather from an open maize field, accordingly, all above-named petitioners, who are of clean antecedent, in the event of their arrest or surrender in the court below within a period of four weeks from today, are 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 Special Judge, Excise, Patna City in connection with Khusrupur P.S. Case No.238 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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