

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35299 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- KATHAIYA District- Muzaffarpur

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Pankaj Kumar @ Pankaj Rai S/o Balendra Rai @ Baleshwar Ray Resident of
Village- Aswari Banjaria, P.S.- Kathaiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-05-2026 Heard learned counsel for the parties through virtual mode.

2. The petitioners are apprehending their arrest in connection with Kathaiya P.S. Case No. 91 of 2026, registered for the offences punishable under Sections 30(a)/ 41(1)/42(2) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, on a written report by Sub-Inspector Om Pukar Priya, who received information that illicit foreign liquor was concealed near Pankaj Ray's poultry farm. On reaching the spot, two persons fled away. During search, 955.440 liters of illicit liquor were recovered from a brick tank near a maize field. The labourers disclosed the names of Pankaj Rai and Manish Kumar as owners of the seized liquor.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case merely on the basis of secret information. It is further submitted that the petitioners have no concern with the seized liquor or the place of recovery. It has further been submitted that the said recovery has been made from a poultry farm which belongs to Pankaj Rai and the said place is in noway connected to this petitioner. It has further been submitted that the recovery is made from a tank adjacent to a maize field near Pankaj Rai's poultry farm situated on the road from Aswari Banjariya village to Parsauni. It has further been submitted that the petitioner is noway connected to the place of seizure and his name has been transpired on the basis of secret information, a raid was conducted and the name of this petitioner has been taken by the villagers. It has fairly been submitted that the petitioner one criminal antecedent which is not akin to the recent case and the petitioner is on bail in that case and are ready to abide by all terms and conditions as may be imposed by this Court while granting the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Let the petitioners, above named, be released on



anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Spl, Excise Court-II, Muzaffarpur in connection with Kathaiya P.S. Case No. 91 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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