

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 42938 of 2026**

Arising Out of PS. Case No.-48 Year-2026 Thana- NIMCHAKBATHANI District- Gaya

1. Janki Rajvanshi ,S/o Late Shiva Rajvanshi @ Late Shiv Rajbanshi
  2. Vijay Rajvanshi, S/o Late Brihaspati Rajvanshi
  3. Pintu Rajvanshi, S/o Sri Krishan Rajvanshi
  4. Kamlesh Rajvanshi, S/o Sri Tuntun Rajvanshi
- All are R/o Village - Dhakani, PS - Neemchak Bathani, District - Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

2      02-07-2026                      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 Neemchak  
  
Bathani P.S. Case No.48 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 75 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 a *tank* adjacent to the house of petitioner no.3, 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. The petitioners claimed clean antecedent.

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 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 Exclusive Special, Excise Court No.-2, Gaya Ji in connection with Neemchak Bathani



P.S. Case No.48 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.)**

Raushan/-

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