

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36839 of 2026**

Arising Out of PS. Case No.-122 Year-2026 Thana- EXCISE SHERGHATI District- Gaya

Murajan Kumar @ Chhotu S/o Rajendra Chaudhary @ Rajendra Chaudhari  
Resident of Village- Nawadih Panari, P.S.- Hunterganj, District - Chatra  
(Jharkhand)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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

2      17-06-2026              Heard learned counsel for the petitioner and learned APP  
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Excise Sherghati P.S. Case No. 122 of 2026 registered for the offences punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 54.750 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected either with the motorcycle or with recovered illicit liquor in any manner and merely on the basis of the suspicion as raised by local people



gathered at the place of recovery, petitioner was implicated with the present case. Explaining criminal antecedent, learned counsel submitted that petitioner found involved in one more case of similar nature, in which he is on bail.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Gaya/concerned court in connection with Excise Sherghati P.S. Case No. 122 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

**(Chandra Shekhar Jha, J)**

Rajeev/-

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