

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40043 of 2026

Arising Out of PS. Case No.-462 Year-2025 Thana- CHIRAIYA District- East Champaran

Akash Kumar, Son of Late Ramdeo Paswan @ Ramdev Paswan, Resident of village - Mirpur , P.S.-Chiraiya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Chiraiya P.S. Case No.462 of 2025 registered under Sections 30 (a) of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 30 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that the recovery of alleged illicit liquor was made from the road side, which is an open place and accessible by general public and, therefore, it can be safely said that the recovery was not made from conscious physical possession of



this petitioner. Explaining criminal antecedent, it is submitted that petitioner found involved in one more criminal case, where he is on bail.

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

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 this petitioner, accordingly, the petitioner, above-named, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.-I, East Champaran, Motihari in connection with Chiraiya P.S. Case No.462 of 2025, 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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