

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40981 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- GOGRI District- Khagaria

Chhotu Kumar Son of Subodh Yadav Resident of Village- Usri, P.S.- Gogari,
District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-06-2026 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 Gogri P.S. Case No.65 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Act (Amendment Act, 2022).

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 50 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of petitioner arrayed solely on the disclosure made by the local farmer. It is also submitted



that the petitioner was neither arrested on spot nor any illicit liquor was recovered from his possession. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further argued that no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. Petitioner claimed clean antecedent.

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

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, 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 Exclusive Special Excise Judge 1st , Khagaria, in connection with Gogri P.S. Case No.65 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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