

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40131 of 2026

Arising Out of PS. Case No.-42 Year-2026 Thana- KESARIA District- East Champaran

Vikrama Sahani s/o Late Raghunath Sahani Resident of village- Banparua,
PS- Kesaria, Distt-East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 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 Kesariya P.S. Case No.42 of 2026 registered under Sections 274, 275 of Bharatiya Nyaya Sanhita and 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 56 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of petitioner transpired on the



basis of disclosure made by chowkidar of the village. It is submitted that the recovery of illicit liquor was made from *Chawar*, which is an open place accessible by general public and for the same the seizure list was prepared. It is submitted that admittedly the recovery of illicit liquor was not made from conscious physical possession of the petitioner. Explaining criminal antecedent, it is submitted that the petitioner found involved in three more criminal cases, 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 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 Exclusive Special, Excise Court



No- 3, Civil Court, East Champaran at Motihari, in connection with Kesariya P.S. Case No.42 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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