

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40991 of 2026

Arising Out of PS. Case No.-131 Year-2026 Thana- Kalibagh District- West Champaran

1. Rajmati Devi W/O Late Kundev Chaudhary R/O Mohalla- Chhawani Pasitola, Ward No.- 5, P.S.- Kalibagh, Distt.- West Champaran.
2. Prabhawati Devi W/O Prabhu Chaudhary R/O Mohalla- Chhawani Pasitola, Ward No.- 5, P.S.- Kalibagh, Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raki Alam, Advocate

For the Opposite Party : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. Both accused/petitioners are named in the FIR

and apprehending their arrest in connection with Kalibagh

P.S. Case No.131 of 2026 registered under Section 30(a) of

Bihar Prohibition and Excise Act.

3. Allegation against the petitioners is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 17 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioners that the name of petitioners arrayed solely for



the reason that the recovery of alleged liquor was made from a garbage heap in front of petitioner's house. It is further submitted that recovery of liquor was made from an open place which is accessible by general public. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Explaining criminal antecedent, it is submitted that the petitioner no. 1 found involved in one more criminal case of similar nature, where he is on bail. Petitioner no. 2 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 note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of these petitioners, accordingly, both petitioners, above-named, in the event of their arrest or surrender in the court below within a period of four weeks from today, are 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 Special Judge



Excise Court No.1, Bettiah, West Champaran, in connection with Kalibagh P.S. Case No.131 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.)

aniket/-

U		T	
---	--	---	--

