

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41198 of 2026

Arising Out of PS. Case No.-94 Year-2020 Thana- CHIRAIYA District- East Champaran

Hanuman Rai @ Mithilesh Kumar, Son of Virendra Rai @ Virender Prasad Yadav, Resident of Village- Kaatkhuiya, P.S.- Chiraiya, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 Chiraiya P.S. Case No.94 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 135.180 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that the seized liquor was recovered from a Car bearing Registration No BR-033B-5333. It is submitted that



nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. It is further submitted that the name of the petitioner surfaced solely because of his brother, namely, Bhola Rai, who is also a co-accused in the present case. The 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 of note of fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, who is a man of clean antecedent, 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-I, East Champaran, Motihari in



connection with Chiraiya P.S. Case No.94 of 2020, 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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