

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40786 of 2026

Arising Out of PS. Case No.-163 Year-2026 Thana- PANAPUR District- Saran

Subhash Raut S/o Late Ramdayal Raut R/o Vill- Kondh Bhagawanpur, P.S.-
Panapur, Distt- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sachida Nand Rai, Advocate
For the Opposite Party : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 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 Panapur P.S. Case No.163 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 10 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 basis of disclosure made by the local chowkidar. It is also



submitted that the recovery of illicit liquor was made near the bush which is an open place and easily accessible by general public. It is further submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnels. Explaining criminal antecedent, it is submitted that the petitioner found involved in one criminal case of similar nature, 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 the fact as recovery of illicit liquor *prima facie* not appears to be made from 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 Court of 2nd Exclusive Special



Excise Judge, Saran at Chapra, in connection with Panapur
P.S. Case No.163 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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