

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40219 of 2026

Arising Out of PS. Case No.-157 Year-2026 Thana- KALYANPUR District- East Champaran

Sudama Ray Son of Dasai Ray Resident of Village- Yamunapur, Belwa Dih,
P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar,

For the Opposite Party/s : Mr.Umanath Mishra

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 Kalyanpur P.S. Case No.157 of 2026 registered under Sections 30(a) and 41(1) 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 32 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for



the petitioner that the recovery of illicit liquor was made from the bamboo orchard which is near the house of the petitioner. It is submitted that 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 two more criminal cases 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 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 Champara at Motihari, in connection with Kalyanpur P.S. Case No.157 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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