

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43475 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- SIRISIYA District- West Champaran

1. Shrikant Kumar, S/o Ramjit Mahto @ Ramji Mahato
 2. Ankur Kumar @ Angur Kumar, S/o Prayag Mahto
 3. Sujit Kumar, S/o Late Wakil Mahto
- All are resident of Village- Garabhu Lala Tola, P.S.- Sirisiya, Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are not named in the

FIR and apprehending their arrest in connection with Sirisiya

P.S. Case No.87 of 2026 registered under Section 30(a) of

the Bihar Prohibition and Excise Act.

3. Allegation against the petitioners are to engage

in illegal trade/manufacturing of illicit liquor, where there is

recovery of 32.4 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioners that the alleged recovery was made from



three Bikes bearing Registration No. BR-22T-6543, Registration No. BR-22R-6208 and Registration No. BR-22BL-2213. It is further submitted that nothing has been recovered from the conscious possession of the petitioners. It is further submitted that seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. It is also pointed out that the name of the petitioners surfaced solely on the disclosure made by co-accused, namely, Shivam Kumar, who was apprehended on the spot. The petitioner no. 2 and 3 have one and three criminal antecedent respectively, whereas, petitioner no.1 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 fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of these petitioners, accordingly, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-I, Bettiah, West Champaran in connection with Sirisiya P.S. Case No.87 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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