

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40093 of 2026**

Arising Out of PS. Case No.-35 Year-2026 Thana- HAYAGHAT District- Darbhanga

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Raja Das, Son of Rajendar Das @ Rajendra Das, Resident of Village-
Dhobopur Bansara, P.S.- Hayaghat, District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Saurav Anand, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 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 Hayaghat P.S. Case No.35 of 2026 registered under Section 30(a) of 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 540 Milli liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that admittedly the recovery of illicit liquor was made from pocket of co-accused Kunal Kumar Giri and this petitioner



was implicated only on his disclosure. It is submitted that admittedly recovery was not made from conscious physical possession of this petitioner, who is a man of 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 conscious physical possession of this petitioner, who is a man of clean antecedent, 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 Special Judge- I (Excise Act), Darbhanga, in connection with Hayaghat P.S. Case No.35 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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