

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44973 of 2026

Arising Out of PS. Case No.-322 Year-2025 Thana- DORIGANJ District- Saran

Ram Babu Mushar @ Rambabu Musahar S/o Late Jaglal Raut @ Jaglal
Mushar Resident of Village - Phulchak Charind Mushar Toli, Police Station -
Doriganj, District - Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shakti Suman Kumar, Advocate
For the Opposite Party : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2026 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 Doriganj P.S.
Case No.322 of 2025 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 60 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that recovery of alleged illicit liquor was made
from behind the house of petitioner. It is also submitted that



name of petitioner arrayed solely on the basis of suspicion made by *guptecher*. It is further submitted that petitioner was not apprehended at the spot and it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. 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 Special Judge Excise- 3, Saran at Chapra, in connection with Doriganj P.S. Case No.322 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Aniket/-

U		T	
---	--	---	--

