

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43033 of 2026

Arising Out of PS. Case No.-86 Year-2026 Thana- PARSAUNI District- Sitamarhi

1. Govind Kumar, S/o- Santlal Choudhary, Resident of Village- Parsauni Mailwar, PS- Parsauni, District-Sitamarhi
2. Anita Devi @ Riga Wali, W/o- Santlal Choudhary, Resident of Village- Parsauni Mailwar, PS- Parsauni, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 14-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek the grant of anticipatory bail in connection with Parsauni, P.S. Case No. 86 of 2026, dated 21.04.2026, registered under Sections 111 of the B.N.S. of 2023 and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The case of prosecution, in short is that the police party, acting on a secret information, reached the place of occurrence and found that petitioner no. 1(Riga Wali @ Anita Devi) and petitioner no. (Govind Kumar) were storing illicit liquor in a bamboo clump situated behind Janta High School to



sell it to waiting customers. Upon noticing the police party, they fled from the spot. The F.I.R. shows a recovery of 111.600 litre of Nepali illicit liquor from the spot.

4. Learned counsel for the petitioners submits that as per the F.I.R., although the police party reached the place of occurrence in full readiness, they were unable to apprehend the petitioners on the spot. It is submitted that the petitioners have falsely implicated in this case solely on suspicion due to their past criminal history of a similar nature. Counsel further submits that the petitioners are already on bail in their previous cases and since no physical recovery of contraband was made from their conscious possession, a prima facie case under the Bihar Prohibition and Excise Act is not made out against them. In this background, the petitioners deserve the benefit of anticipatory bail.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail, submitting that the petitioners are named in the F.I.R. and have multiple criminal antecedents of a similar nature.

6. Having considered the rival submissions, particularly the fact that the police party reached the place of occurrence in full readiness and allegedly saw the petitioners,



yet failed to intercept even the lady petitioner at the spot, indicates that all is not well with the prosecution's story. Under these circumstances, the stringent provisions of the Bihar Prohibition and Excise Act are prima facie not attracted against the petitioners. Accordingly, this Court is inclined to allow the prayer for anticipatory bail.

7. Let the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail upon furnishing a bail bond of ₹25,000/- (Rupees Twenty-Five Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge 2nd Sitamarhi or its successor court.

8. It is further made clear that any future participation of the petitioners in similar criminal activities will be treated as sole and sufficient ground for the cancellation of their bail.

(Ranjan Kumar Jha, J)

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