

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41181 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- BELA District- Sitamarhi

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Rabindra Rai @ Devendra Rai S/o Ishwar Rai R/o Village- Sirsiya, PS- Bela,
Dist- Sitamarhi Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-06-2026 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 Bela P.S. Case No.87 of 2026 registered under Section 30(a) 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 135 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that the seized liquor was recovered from a Alto Car. It is submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the seizure list appears doubtful being not supported by independent witnesses rather by police personnel. It is further



submitted that the name of the petitioner surfaced solely on the basis of the disclosure statement of the co-accused, namely Jaffir Ansari. The petitioner has one criminal antecedent in which, 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 of note of 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 Exclusive Special Excise-I, Sitamarhi in connection with Bela 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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