

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41839 of 2026

Arising Out of PS. Case No.-162 Year-2026 Thana- ISUAPUR District- Saran

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Jitendra Nut @ Jitendra Nat S/O Late Dinesh Nut R/O Village - Isuapur, P.S-
Isuapur, Dist- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nalin Kumar, Advocate
For the Opposite Party : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 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 Isuapur P.S. Case No.162 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

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 the name of this petitioner arrayed solely on the disclosure made by the local *chowkidar*. It is also



submitted that recovery of illicit liquor was made near the house of the petitioner which is an open place easily accessible by general public. It is also submitted that petitioner was not present at the spot where the alleged liquor was seized and as also the petitioner is not in any way connected with the alleged seized liquor. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Explaining criminal antecedent, it is submitted that the petitioner found involved in one criminal case, 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 learned Exclusive Special Excise Court No.- 3,
Saran at Chapra, in connection with Isuapur P.S. Case
No.162 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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