

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41916 of 2026**

Arising Out of PS. Case No.-145 Year-2026 Thana- BAIRIYA District- West Champaran

Radhika Devi W/O Manu Chaudhri Resident of village- Naya tola, Tilnagahi,
ward no 1, P.s.- Bairiya, District- West Champaran, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mayank Mohan, Advocate
For the Opposite Party : Mr. Sanjay Kumar Sharma, APP

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 Bairiya P.S. Case No.145 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 4.84 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of *petitioner* arrayed solely on the disclosure made by *police hawaldar*. It is also submitted



that petitioner is neither connected in any way with the seized liquor nor the petitioner was present at the place of occurrence. It is further argued that name of petitioner was disclosed due to village politics. It is further argued that no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. 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 the learned Exclusive Special Excise Court-I,



Bettiah, West Champara, in connection with Bairiya P.S.
Case No.145 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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