

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41909 of 2026**

Arising Out of PS. Case No.-74 Year-2026 Thana- PHULWARIYA District- Gopalganj

Rudal Sah @ Rudar Sah Son of Hari Sah Resident of Village - Rajpur Jhaki,  
P.S. - Shreepur, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Sunil Kumar Singh, Advocate  
For the Opposite Party : Mr. Arun Kumar Singh, 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 Phulwaria P.S. Case No.74 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 21.2 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 basis of suspicion. It is also submitted that the petitioner



is neither the owner of the motorcycle nor the petitioner was present at the spot from where the alleged liquor was recovered. It is also argued that the name of petitioner has been implicated in the present case due to village party politics. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Petitioner claimed clean antecedent.

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, who is a man of clean antecedent, 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 Court of District and Additional Sessions Judge- XII-cum-Special Excise Court No. I, Gopalganj, in connection



with Phulwaria P.S. Case No.74 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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