

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43412 of 2026

Arising Out of PS. Case No.-677 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Jimdar Kumar Yadav @ Jimdar Rai S/O Rajendra Rai Resident of Village-
Gulariya Ahirtoli, P.S- Muffasil, Distt.- East Chamaparan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pravin Kumar, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 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 Muffasil P.S. Case

No.677 of 2025 registered under Section 30(a) of 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 280 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 the local *chowkidar*. It is also



submitted that recovery of alleged illicit liquor was made from the cow shed of petitioner which is an open place accessible to the general public. It is further submitted that petitioner is neither connected with the alleged illicit nor the petitioner was present at the place of occurrence. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. 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 Special Judge, Excise Court No.1, East Champaran, Motihari, in connection with Muffasil P.S. Case No.677 of 2025, 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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