

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45509 of 2026

Arising Out of PS. Case No.-170 Year-2025 Thana- KUTUMBA District- Aurangabad

Babulal Bhuiyan Son of Banshi Bhuiyan @ Late Vansha Bhuiyan Resident of
Village - Khaira Barwadih, P.S.- Kutumba, District - Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2026 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 her arrest in connection with Kutumba P.S. Case No.170 of 2025 registered under Sections 30(a) and 30(c) of Bihar Prohibition and Excise (amended) Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 50 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged illicit liquor was made from the house of petitioner. It is also submitted that



the name of petitioner arrayed solely for the reason that petitioner is the owner of the said house where alleged recovery of liquor was made. It is also submitted that petitioner was not present at the spot and it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further 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 District and Additional Sessions Judge-cum-
Exclusive Special Judge, Excise Court No. 1, Aurangabad, in
connection with Kutumba P.S. Case No.170 of 2025, subject
to the conditions as laid down under Section 482(2) of the
BNSS.

(Chandra Shekhar Jha, J.)

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