

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44746 of 2026

Arising Out of PS. Case No.-591 Year-2020 Thana- DANAPUR District- Patna

Nand Kumar Rai, Son of Rameshwar Rai, Resident of Village- Chitnawa
Bagicha, P.S. -Maner, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 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 Danapur P.S. Case No.591 of 2020 registered under Section 30(a) of the 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 240 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the 40 litres of seized illicit liquor was recovered from a Bike bearing Registration No. BR01BY-



1469 and also 200 litres of seized illicit liquor recovered from a Tempo bearing Registration No. BR01PK-7121. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the name of the petitioner surfaced solely on the disclosure statement made by co-accused namely, Mukesh Kumar and Tinku Rai. It is also pointed out that seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. The 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 fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner above-named, who is a man of clean antecedent, 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 Judge, Danapur at Patna in connection with Danapur P.S. Case No.591 of 2020, 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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