

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45018 of 2026

Arising Out of PS. Case No.-24 Year-2026 Thana- MADHWAPUR District- Madhubani

Bharat Panjiyar S/o Madhuri Panjiyar Resident of Village - Bairba, P.S. -
Saharghat, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party : Mr. Umeshanand Pandit, 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 not named in the FIR

and apprehending his arrest in connection with Madhwapur

P.S. Case No.24 of 2026 registered under Sections 274,

275 of Bharatiya Nyaya Sanhita (hereinafter referred as

'B.N.S.', 2023) and 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 6 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 a motorcycle, bearing Registration No. BR32AT 7671, which was involved in carrying illegal consignment of liquor. It is also submitted that name of petitioner arrayed solely for the reason that petitioner is the registered owner of said motorcycle. It is further argued that the bike of petitioner was taken by co-accused, namely, Jitendra Kumar, for doing some personal work. It is pointed out 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 Exclusive Special Judge Excise Court, Madhubani, in connection with Madhwapur P.S. Case No.24 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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