

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45540 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- MUSAHARI District- Muzaffarpur

Golu Kumar @ Rajiv Kumar Son of Raju Sah Resident of Village- Nayagaon
@ Chapra Megh, P.S.- Musahari, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate

For the Opposite Party : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 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 Musahari P.S.
Case No.27 of 2026 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 54 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that recovery of alleged illicit liquor was made
from behind the *bathan* of the petitioner which is an open



place accessible to general public. It is also submitted name of petitioner arrayed solely on the disclosure made by the local *chowkidar*. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner and also the petitioner was not present at the spot. 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 Exclusive Special Judge Excise Court No. III,
Muzaffarpur, in connection with Musahari P.S. Case No.27 of
2026, subject to the conditions as laid down under Section
482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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