

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46867 of 2026

Arising Out of PS. Case No.-347 Year-2025 Thana- CHAUTHAM District- Khagaria

Pappu Kumar, S/o Chamak Lal Sah, Resident of Village-Mahesh Khunt, Ward No. 06, P.S.- Maheshkhunt, District- Khagaria (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, 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 Chautham P.S. Case No.347 of 2025 registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2022 (Amended).

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 212.175 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that the recovery of alleged illicit liquor was made from a Tavera car and not from possession of this petitioner. It is submitted that the petitioner is neither the owner nor



the driver of the alleged seized vehicle. It is submitted that the name of petitioner transpired in this case on the basis of his mobile number, which was written on the pollution certificate found near the driver seat during search. It is submitted that the seizure list was not supported by independent witnesses rather same was supported by police personnel. It is pointed out that similarly situated co-accused, namely, Madho Sah @ Modi Sah has already granted anticipatory bail by this Court through Cr. Misc. No.9570 of 2026 dated 17.02.2026. It is submitted that the petitioner found involved in one more criminal case of similar nature, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of 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, 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-1st, Khagaria in connection with Chautham P.S. Case No.347 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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