

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51350 of 2026

Arising Out of PS. Case No.-209 Year-2026 Thana- CHIRAIYA District- East Champaran

Sanjay Rai @ Sanjay Yadav Son of Ramakant Rai Resident of Village-
Katkuiya, P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Chiraiya P.S. Case No. 209 of 2026, dated 03.04.2026, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Exclusive Special Excise Court No. 1, East Champaran, Motihari.

3. As per the prosecution, a total recovery of 60 litres of illicit liquor and 1000 litres of raw wine has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that nothing has been recovered from the possession of the petitioner. He also submits that the petitioner is not the



owner of the alleged vehicle. Furthermore, he submits that the criminal antecedent of the petitioner is not clean as six criminal cases are pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean.

6. Considering the facts and circumstances of the present case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. Liberty is hereby granted to the petitioner that if he surrenders within six weeks, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudiced by the fact that the anticipatory bail application of the petitioner has been rejected by this Court, and the Trial Court shall pass an order on the merits of the case.

(Dr. Anshuman, J.)

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