

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90320 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- RAGHUNATHPUR District- Siwan

1. Vikash Rajbhar S/o Hridayanand Rajbhar Resident Of Village- Dehura, Bhartoliyan, P.S.- Asaon, Dist- Siwan
2. Munna Rajbhar S/o Hridayanand Rajbhar R/o Vill- Dehura Bhartoliyan, P.S.- Asaon, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

6 14-05-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Raghunathpur P.S. Case No.01 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 134 litres illicit country made liquor from two different places. It is alleged that petitioners have been identified by the local Chaukidar as the businessmen of illicit liquor.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners were not present at the



spot and only on the basis of identification made by the local Chaukidar, the name of petitioners have been implicated in this case. Learned counsel submits that except the identification made by the Chaukidar, there is no material against the petitioner. He further submits that petitioners have no concern with the alleged seized liquor as the same have been recovered from two open places which are accessible to public at large. Learned counsel submits that the mandatory provision under Section 103 of the B.N.S.S. has not been complied with in preparing the seizure list. He further submits that petitioner no.1 has got clean antecedent whereas petitioner no.2 has one criminal antecedent, in which he is on bail and they undertake to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioners, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the



learned Exclusive Special Judge, Excise Court No. IInd, Siwan/
concerned Court in connection with Raghunathpur P.S. Case
No.01 of 2025, subject to the conditions laid down in Section
482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

Ritik/-Utkarsh/-

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