IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48871 of 2026

Arising Out of PS. Case No.-230 Year-2026 Thana- PURNEA SADAR District- Purnia

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1. Ujjwal Kumar, S/o Rakesh Yadav, R/o Village - Khairuganj, Ward no. 31, P.S. - Sadar, Dist. - Purnea.
2. Rakesh Yadav @ Rakesh Kumar, S/o Guneshwar Yadav, R/o Village - Khairuganj, Ward no. 31, P.S. - Sadar, Dist. - Purnea.

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Parties

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Appearance :
For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 20-08-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Both accused/petitioners are named in the FIR and apprehending their arrest in connection with Purnea Sadar P.S. Case No.230 of 2026 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Allegation against the petitioners is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 113 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

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the petitioners that the seized illicit liquor was recovered from the mud hut situated outside the house of these petitioners. It is further submitted that petitioners are neither the owner of the said mud hut nor were they apprehended on the spot. It is further submitted that nothing was recovered from the conscious possession of these petitioners. It is further submitted that seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. It is also pointed out that the name of the petitioners surfaced solely on the disclosure made by local villager. Petitioners claimed clean antecedent.

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

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 these petitioners, accordingly, both above-named petitioners, who are of clean antecedent, in the event of their arrest or surrender in the court below within a period of four weeks

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from today, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No.-1, Purnea in connection with Purnea Sadar P.S. Case No.230 of 2026, 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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