

In The Court of Exclusive Special Judge Excise Court No.-I, Katihar
Barari P.S. Case No-346/2025, A.B.P-197-2025
U/s 30(a) of Bihar Prohibition and Excise Act

1. Jitendra Kumar Das @ Jitendra Kurail, S/o- Kamal Kurai, Vill- Kurail Tola, P.S- Barari, Dist-
Katihar.

V/s
State

Ld. Counsel: for State: Shri Noor Alam.

Ld. Counsel for petitioner : Shri. S. Kumar.

11.03.2026

- (1) Anticipatory Bail petition has been filed on behalf of the petitioner namely Jitendra Kumar Das @ Jitendra Kurail in connection with Barari P.S. Case No-346/2025 U/s 30(a) of Bihar Prohibition and Excise Act. Copy of the bail petition has been duly served to Ld. Spl. P.P. of Excise.
- (2) Heard the learned counsel for the petitioner and Ld. Spl. P.P. of Excise.
- (3) The case of prosecution in brief is that on 23.11.2025, during patrolling and raid by informant and police personnels reached at the place of occurrence i.e. Kurail Tola village, in pursuance of secret information received about that illegal liquor was being sold by the accused-person from back of his Tin-hut like house. Having seen the raiding party, accused was attempted to flee away and police team tried to caught him but the accused finally absconded. Further, on interrogation the local chaukidar disclosed the name of the absconding person as Jitendra Kurail. Further, when the tin-hut like house of the accused was searched, total 40.00 liters of illegal country-made was seized from two yellow gallons. Thus, seizure list was accordingly prepared. Hence, the F.I.R.
- (4) The Ld. Counsel for the petitioner namely Jitendra Kumar Das @ Jitendra Kurail has submitted that the petitioner has been falsely implicated in this case. He has not filed any bail petition in this court or any superior court earlier to this petition. Further, Ld. Counsel for the petitioner has admitted that petitioner has two similar nature of criminal antecedents bearing Barari P.S. Case no-159/2021 and Barari P.S. Case No-110-2024. Further, it is submitted that seized liquor was not recovered from the possession of the petitioner. Further, it is submitted that petitioner has no concern with the alleged tin-hut from where the alleged recovery has been shown and thus prayed for the anticipatory bail.
- (5) The learned special P.P. opposed the prayer of bail.
- (6) Having heard and after the perusal of FIR itself, it appears that there is direct and precise allegation against the petitioner that 40.00 liters of country-made liquor was recovered from the aforesaid Tin-hut like house situated behind the house of the accused-petitioner who having seen the police team, he fled away from the place of occurrence. Further, it has been admitted as per Para-03 of the bail petition that accused-petitioner has two

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similar nature of criminal antecedents bearing Barari P.S. Case no-159/2021 and Barari P.S. Case No-110-2024 which shows that the accused-petitioner is a habitual offender

Considering the above facts and circumstances of this case, it appears that prima-facie case exists on the face of the FIR itself against the petitioner and thus, the petitioner does not deserve the privilege of anticipatory bail. Hence, the anticipatory bail petition filed by accused-petitioner Jitendra Kumar Das @ Jitendra Kurail is found not maintainable and thus hereby rejected.

Dictated
Sd/-

Exclusive Special Judge
Excise Court No.-I, Katihar

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