

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18361 of 2025

Arising Out of PS. Case No.-269 Year-2019 Thana- KHAGAUL District- Patna

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Pankaj Kumar @ Pankaj Rai S/O Nasib Rai R/O Village- Murgiyachak, P.S-
Khagaul, Distt.- Patna at present Back Side of Railway Hospital Khagaul, P.S-
Khagaul, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Khagaul P.S. Case no. 269 of 2019, registered under sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on search being conducted, it is stated that liquor was recovered from the house of the accused Golu Kumar and Vicky Kumar. It is further stated that on their statement, over 200 litres of liquor was recovered from the under construction house of this petitioner. Golu Kumar and Vicky Kumar further stated that the liquor belonged to Vijay Mahto and the same had been given to him for the



purpose of sale.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From the contents of the FIR itself it would transpire that the so called place of recovery is an under construction house of the petitioner where he does not reside. Even co-accused had categorically stated that the liquor belonged to co-accused Vijay Mahto. The petitioner has no criminal antecedent and undertakes to cooperate in the trial. Learned counsel further submits that he had no knowledge about the pendency of the instant case and learnt about the same only on the police arriving at his residence in the year 2025.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State, who submits that in a case registered in October, 2019, the petitioner has moved for anticipatory bail for the first time in the year 2025. Besides being named in the FIR, the allegation is of recovery of over 200 litres of IMFL from his premises.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R together with the petitioner having absconded for over 5 years, the Court is not inclined to enlarge the petitioner on



anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned
Court below within a period of four weeks.

(Partha Sarthy, J)

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