

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27318 of 2025

Arising Out of PS. Case No.-491 Year-2023 Thana- Excise P.S. District- Madhepura

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Pintu Kumar @ Amerika Ranjan, S/o Rajeshwar Yadav @ Jogeshwar Yadav
R/o Village- Bhirkhi, Ward No.- 22 (Dih Tola), P.S.- Madhepura, Distt.-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Madhepura (Excise) P.S. Case No. 491 of 2023 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The allegation against the petitioner is of involved
in trafficking of illicit wine; allegedly 835.560 lts. of Indian
Made Foreign Liquor was recovered from the tube-well house
of co-accused, Sanjay Yadav and local people disclosed the
name of the petitioner and others, who succeeded in fleeing
away from the place of occurrence.

4. Learned counsel for the petitioner contended that



admittedly the alleged recovery has been made from the tube-well house of co-accused, Sanjay Yadav with whom the petitioner has neither any concern nor with the illicit wine. Save and except disclosure made by the local people, there is no material suggesting complicity of the petitioner in crime. There are various other infirmities in search and seizure. Taking note of the aforesaid facts, other co-accused persons, whose names were disclosed by the local people, have been allowed the privilege of anticipatory bail by different Benches of this Court; the orders have been marked as Annexure-P2 and P3 series. It is lastly contended that, in fact, on account of one criminal antecedent of identical nature, the name of the petitioner has been implicated in this case without there being any substance.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that alleged recovery has been made from the tube-well house of co-accused, Sanjay Yadav with whom the petitioner has no concern, coupled with the fact that other co-accused persons having identical allegation have been allowed the privilege of anticipatory bail as also the fact that there is no material, which



attracts the prescriptions as provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VII-cum-Special Judge, Excise-II, Madhepura in connection with Madhepura (Excise) P.S. Case No. 491 of 2023, subject to the condition as laid down under Section Section 482(2) of the B.N.S.S., with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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