

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50937 of 2025

Arising Out of PS. Case No.-2126 Year-2024 Thana- Excise P.S. District- Patna

Arvind Kumar S/O Late Sita Ram Saw R/O Village- Ansari Mohalla, Patar
mandir, Gola Road, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Excise P.S. Patna Case No. 2126 of 2024, dated 08.09.2024, lodged under Sections 30(a), 30(f), 32, 56(b) and 62 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 1397 litres of illicit liquor was made from a room situated on the ground floor of the landlord's house. From the FIR, it transpires that when the police arrived upon receiving information, the landlord supported the police and informed them that the room had been rented by the petitioner. In his presence, the door was broken, photographs were taken, and a huge quantity of cough syrup was recovered from the room.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has unnecessarily been made an



accused in the present case and he is actually a victim. He also submits that the petitioner had left the said house two years ago and has no connection with it now, but the present case has been lodged at the instance of the landlord. Furthermore, he submits that the petitioner has a clean criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is a matter of trial whether the alleged cough syrups belong to the petitioner or not, and this can only be determined after the trial. He also submits that the criminal antecedent of the petitioner is clean.

6. As such, in this view of the matter, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Court Excise Court No. 3, Patna, in connection with Excise P.S. Patna Case No. 2126 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. It is further directed that the Trial Court shall verify the criminal antecedents of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal



antecedent, the Trial Court shall take steps for cancellation of the petitioner’s bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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