

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64620 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- PANAPUR District- Saran

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Ankit Kumar @ Ankit Singh S/o- Ekram Singh RO Village- Betaura PS-
Panapur District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Panapur P.S. Case No. 212 of 2025, registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is of being involved in trafficking of illicit wine. The police conducted a raid in his godown, however, noticing the police party, one person succeeded in fleeing away who was later on identified by the local Choukidar as the petitioner. In course of search, total 724.320 litres of Indian made foreign liquor was recovered from the godown and the silver colour Duster car.

4. Learned advocate for the petitioner submitted that the petitioner has neither any concern with the godown nor with



the Duster car and the allegedly recovered illicit wine. It is specifically stated that the alleged godown is recorded in the name of late Ram Chandra Singh who happens to be the grand fater of the petitioner. Late Ram Chandr Singh has three sons, namely late Bhagwan Singh, Sheopujan Singh and Ekram Singh. The godown falls within the share of the uncle of the petitioner and the petitioner has no concern with it. It is specifically stated that the car in question does not belong to the petitioner. However, only on account of suspicion and one criminal antecedent, as has been disclosed in paragraph No. 3, the name of the petitioner has been implicated in this case. There are various other infirmities in the search and seizure besides non-compliance of Section-103 of B.N.S.S.

5. On the other hand, learned advocate for the State opposed the bail application and submits that recovery of huge illicit wine clearly attracts the prescriptions provided under Section-76(2) of Bihar Prohibition and Excise Act, 2016.

6. Having considered the submissions advanced and taking note of the fact that the place from where recovery has been made falls within the share of uncle of the petitioner and, more over, the car in question also does not belong to him and, as such, the rigours provided under Section- 76(2) of Bihar



Prohibition and Excise Act, 2016 does not attract, besides various other infirmities in the search and seizure, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Panapur P.S. Case No. 212 of 2025 subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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