

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73058 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- PUNAURA District- Sitamarhi

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Pankaj Kumar S/O Deepak Kumar Resident of Village- Punaura, P.S.-
Punaura, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 12.07.2025, during night patrolling near Janki Temple, Punaura Dham, Police saw a group of boys causing a ruckus and upon seeing the Police, they fled. The Police found illicit liquor, glasses, and mixtures on a scooty (BR30AJ-5106), seized the vehicle and liquor, and lodged an FIR.

4. Learned counsel for the petitioner submits that the petitioner runs a shop and his scooty was parked in the parking area allotted to them and as per the F.I.R., merely on the ground



that glasses of wine and mixtures were found around the scooty, the name of this petitioner has been roped in the present case and one half opened bottle of wine was also recovered from the seat of the scooty. Learned counsel for the petitioner submits that the seized half opened bottle of wine to which the seizure witnesses are the Police officers themselves, there is no independent witness and merely because the scooty was parked in an open space, the liability, as indicated in the F.I.R., cannot be fastened upon the petitioner.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and though the petitioner is the owner of the seized scooty, he is in no way connected to the seized illicit liquor and the petitioner has no criminal antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Sitamarhi, in connection with Punaura P.S. Case No. 152 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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