

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82737 of 2025

Arising Out of PS. Case No.-479 Year-2025 Thana- DINARA District- Rohtas

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1. Banti Kumar @ Banti Ram @ Mithlesh Kumar S/o- Birendra Ram
Residents of village- Karanj PS- Dinara District- Rohtas
 2. Anshu Kumar S/o- Arbind Singh Residents of village- Karanj PS- Dinara
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dinara P.S. Case No. 479 of 2025, F.I.R dated 24.10.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 24.10.2025, ASI Shambhu Sharan Paswan of Dinara Police Station received secret information during evening patrol that Punit Kumar Patel and his associates were selling liquor from a tempo (Reg. No. BR-45P-6012). After informing his superiors, he went to verify



the information. Upon seeing the police, 3–4 individuals attempted to flee, but one person was apprehended and identified himself as Punit Kumar Patel. He disclosed the names of the others who escaped: Banti Ram, Anshu Kumar, and Niraj Chaudhary. A search of the tempo resulted in the recovery of 108 litres of foreign liquor, and a seizure list was prepared as per law. Based on the informant's written report, Dinara P.S. Case No. 479/2025 was registered and a formal FIR was drawn.

4. Learned counsel for the petitioners submits that the seized liquor is said to have recovered from Tempo bearing Registration No. BR-45P-6012 is no way connected with both the petitioners while Petitioner No. 1 – *Banti Kumar alias Banti Ram alias Mithlesh Kumar* has clean antecedent. Whereas, the Petitioner No. 2 – *Anshu Kumar* have two antecedent and only one is akin in the present case in which he is on bail and both the petitioners are labourers and are man of means and undertakes to avoid the terms and conditions on their favour.

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 constructive possession and / or



premises belonging to the petitioners and taking into account the fact that the seizure is made from the Tempo which is not related with the petitioners, accordingly, this Court is inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Dinara P.S. Case No. 479 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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