

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87636 of 2025

Arising Out of PS. Case No.-227 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Sujit Kumar S/O Braj Yadav @ Braj Kishore Prasad R/O Village- Dogi, P.S-
Chhabilapur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Narain Yadav

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Excise Sherghati P.S. Case No. 227 of 2025, F.I.R dated 31.07.2025 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 31.07.2025, acting on secret information, the police intercepted a Maruti Swift Dzire car bearing Registration No. J405AD0740, allegedly driven by co-accused Aklesh Kumar. Upon search, 200 litres of Indian Made Foreign Liquor were allegedly recovered from the said vehicle. During interrogation, the apprehended accused disclosed that the seized liquor and the vehicle belonged to the



present petitioner. A seizure list of the recovered liquor and the vehicle was prepared at the place of occurrence. On the basis of the written report of the Assistant Sub-Inspector, Prohibition and Excise, Excise P.S. Sherghati, Excise Sherghati P.S. Case No. 227 of 2025 was registered under Sections 30(a) and 32(3) against the petitioner and the co-accused.

4. Learned counsel for the petitioner submits that the name of the petitioner has transpired on the basis of confession made by the co-accused, the recovery which is said to have been made from the car bearing Registration No. J405AD0740, does not belong to this petitioner, this petitioner has clean antecedent.

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 petitioner and considering the aforesaid fact that the petitioner has clean antecedent and he is no way connected with the seized material, 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 Judge, Excise-3, Gaya in connection with Excise Sherghati P.S. Case No. 227 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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