

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86293 of 2025

Arising Out of PS. Case No.-305 Year-2025 Thana- JAYNAGAR District- Madhubani

Kapil Kumar Singh @ Kapil Kumar S/o- Binod Singh Resident of Village-
Hanuman Nagar, P.S. Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Jaynagar Police Station Case No. 305 of 2025,
disclosing offences under Sections 274, 275, 317(5) of the BNS,
2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on 04.09.2025,
while the informant along with the police party was on night
patrolling duty, they received secret information regarding
storage of illicit liquor in a Bolero vehicle parked in the orchard
of one Jhagru Singh. Acting upon the said information and after
informing senior officers, the police party reached Village
Hanuman Nagar, where a Bolero vehicle bearing Registration
No. JH05C-6895 was found parked. Upon search of the said



vehicle in presence of two witnesses, 225 liters of Nepal-made country liquor was allegedly recovered, and a seizure list was prepared on the spot.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to previous criminal history and village party politics. No illicit liquor was recovered from the conscious possession of the petitioner, nor is he connected with the seized liquor or the Bolero vehicle. The petitioner is neither the owner nor the driver of the seized vehicle, and the alleged recovery was not made from his possession. The allegations against the petitioner are false, fabricated, and without any legal basis.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is neither the owner nor the driver of the alleged seized vehicle, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Exclusive Special Judge (Excise Court), Madhubani, in connection with Jaynagar Police Station Case No. 305 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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