

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88411 of 2025

Arising Out of PS. Case No.-984 Year-2025 Thana- Excise P.S. District- Aurangabad

Sanjay Kumar Singh S/o- Rajbali Singh Village- Devjara PS-Madanpur Distt-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 984 of 2025, dated 17.09.2025 registered for the offences under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered total 10 liters of illicit country-made liquor from the auto.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. It has further been submitted that the petitioner is the owner of the auto, in question, which was being given to



one Sujit Kumar for doing business and, in course of the same, the alleged incident is said to have taken place. The driver of the auto namely Sujit Kumar was arrested and taken to judicial custody. There has been no recovery from the constructive possession of the petitioner. The petitioner has no concern with the seized liquor. Lastly, it is submitted that the petitioner is a man of clean antecedent.

5. Learned APP for the State has though opposed the prayer for anticipatory bail but, has not confronted with the factual position.

6. Regard being had to the submission made by the parties and taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner, 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 Special Judge, Excise-II, Aurangabad in connection with Excise P.S. Case No. 984 of 2025 subject to the condition



as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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