

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4896 of 2026**

Arising Out of PS. Case No.-991 Year-2025 Thana- SAHARSA SADAR District- Saharsa

1. Sonu Jha @ Sonu Kumar Jha S/O Ajay Jha R/O Vill.- Mohanpur, Ward no. 14, P.S.- Nauhatta, Dist.- Saharsa
2. Sudhir Kumar @ Mahadev Kumar @ Mahadev S/O Uttam Lal R/O New Colony, Ward no. 9/13, P.S.- Saharsa Sadar, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate  
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      30-01-2026                      1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, Sections 27, 25(9) and 35 of the Arms Act, 1959 as well as Section 6 of the Noise Pollution (Regulation & Control) Rules, 2000.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 200 ml. of liquor along with 500 ml. of beer and three empty cartridges.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession. It is further submitted that petitioners came to be implicated based on the confessional statement of Pramod Kumar and Nishant Kumar in police custody which does not have any evidentiary value in the eye of law.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that it is not a case under the Excise Act rather three empty cartridges are also alleged to have been recovered from the place of occurrence and the name of the petitioners transpired in the confessional statement of the accused who were apprehended from the spot. It is fairly submitted that though confessional statement does not have any evidentiary value but then investigation of the case is in its nascent stages and from perusal of the pleadings made in the anticipatory bail application, it would manifest that petitioners have not pleaded anything regarding their credentials.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners in connection with Saharsa Sadar P.S. Case No. 991 of 2025 pending in the Court of learned Special Judge (Excise-II), Saharsa/Successor



Court.

7. Hence, the prayer for anticipatory bail is rejected.

**(Satyavrat Verma, J)**

Kundan/-

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