

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8897 of 2026

Arising Out of PS. Case No.-317 Year-2025 Thana- CHHAURADANO District- East
Champaran

Govind Kumar @ Govinda Kumar S/o Ashok Ram Resident of village -
Ekdari, P.S - Chhauradano, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh, Advocate Mr. Mayank Prasanna Dubey, Advocate
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Chhauradano P.S. Case No. 317 of 2025, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution-case, 9 litre country-made illicit liquor was recovered from the paddy field beside the godown of Rambabu Prasad and local Chowkidar disclosed the names of petitioner and other who managed to flee away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as



alleged in the F.I.R. He further submits that petitioner is not the owner of the place of recovery and he was not found on the alleged place of occurrence. Hence, petitioner cannot be held for the alleged recovery of liquor. Because of having criminal antecedents of four cases, petitioner has been falsely made accused in this case. Except suspicion, there is nothing on record to connect the petitioner with the alleged occurrence and there is no compliance of Section 103 of B.N.S.S. Hence, no offence is made out against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that petitioner is named in the F.I.R. and he cannot escape from the allegations made in the F.I.R.

6. Considering the facts and circumstances of the case, petitioner is not the owner of the place of recovery and he was not found on the alleged place of occurrence, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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
Excise Court No. 02, East Champaran at Motihari in connection
with Chhauradano P.S. Case No. 317 of 2025, subject to the
conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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