

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8803 of 2026

Arising Out of PS. Case No.-154 Year-2025 Thana- MAHESHKHUNT District- Khagaria

Sonu Kumar Son of Bhikhari Prasad R/o Village - Shamsher Nagar, near
Horaldih Road, Jharia, Distt.- Dhanbad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

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 Maheshkhut P.S. Case No. 154 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act (Amendment), 2022.

3. As per prosecution case, 639 litre illicit liquor was recovered from Tata Intra Pick-Up vehicle in question. Apprehended co-accused Dileep Kumar Barnwal disclosed the name of petitioner and other.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner has given his Tata Intra Pickup



four wheeler goods carrier vehicle bearing Registration No. JH10CX-1819 to Dileep Kumar Barnwal for carrying goods but vehicle of the petitioner has been misused by the said person. Petitioner had no knowledge that his vehicle was being used for carrying the illicit liquor. Petitioner is not in any way connected with the alleged occurrence. He was not found at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery has been made from the seized vehicle in question. Seizure list has not been made as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that the alleged recovery of illicit liquor has been made from the vehicle in question and petitioner cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner and he was not found at the 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 Judge IInd, Khagaria in connection with Maheshkhut P.S. Case No. 154 of 2025, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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