

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9208 of 2026

Arising Out of PS. Case No.-297 Year-2023 Thana- SUGAULI District- East Champaran

Bullet Gupta S/O Rajendra Sah R/O VILL.- Harsidhi, P.S.- Harsidhi, District-
East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-02-2026

Heard the parties.

2. The petitioner apprehends his arrest in connection with Sugauli P.S. Case No. 297 of 2023 dated 17.07.2023 registered for the offences punishable under sections 272 and 273 read with section 34 of the Indian Penal code and sections 30(a), 32 and 41(i) of the Bihar Prohibition & Excise Act, (in short 'Excise Act').

3. The main submissions advanced by petitioner's counsel are that as per the prosecution story, two persons were suspected to be involved in trafficking of illicit liquor on a motorcycle and upon seeing the police party, they managed to escape and they were identified by the local chowkidars when they were fleeing, one of whom was said to be the petitioner but the said manner of identification was completely impossible, as



the petitioner belongs to Harsidhi village under Harsidhi Police Station, whereas the alleged place where the accused persons were seen falls under the jurisdiction of Sugauli Police Station, and the source of identification of the petitioner is completely unbelievable. It is further submitted that the recovery of the alleged liquor was made from Azad Chowk 30 minutes after the accused persons were seen riding on the motorcycle and with respect to the said recovery, one person, who was the local chowkidar, as well as another chowkidar of a nearby police station, were made witnesses. It is lastly submitted that the petitioner bears no criminal antecedent and the main ground for implicating him in the commission of the alleged trafficking of liquor is mere suspicion, hence, the petitioner's prayer for anticipatory bail is not hit by the provisions of section 76(2) of the Excise Act as alleged offences punishable under the Excise Act, under which the FIR has been registered, do not attract even *prima facie* against the petitioner.

4. Learned APP appearing for the State has opposed the prayer of the petitioner.

5. In the facts and circumstances of this case as well as considering the aforesaid submissions, coupled with the pleas of the petitioner, this Court is inclined to grant the relief of



anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sugauli P.S. Case No. 297 of 2023, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

