

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9261 of 2026

Arising Out of PS. Case No.-19 Year-2018 Thana- BAISI District- Purnia

Pandav Kumar Son of Pramod Sah R/O Vill.- Babhuna (Babhana) Rajajan,
P.S.- Gangour, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Baisi P.S. Case No. 19/2018 registered for the offences punishable under Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 134.820 liters foreign liquor from the Maruti car in question. Apprehended co-accused Rajesh Mandal disclosed the name of the petitioner who is the owner of the said car.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner bears no criminal antecedent. The petitioner was not found at the place of occurrence. No



incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. He orally submits that the name of the petitioner transpired in this case as an owner of the said car and the petitioner has given the said car to his brother-in-law (sala) in good faith for urgent work and he has misused the same. The petitioner has no knowledge that the said car is being used for carrying illicit liquor. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner is FIR named accused and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, petitioner 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 Court of learned Exclusive Special Judge Excise No. 1, Purnea in connection with Baisi P.S. Case No. 19/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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