

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11422 of 2026

Arising Out of PS. Case No.-171 Year-2025 Thana- KRISHNAGARH District- Bhojpur

Subhash Kumar Son of Dharam Nath Mehta Resident of Village-
Mubarakpur, P.S.- Shahpur, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Advocate

For the Opposite Party/s: Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-02-2026 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Krishnagarh P.S. Case No.171 of 2025, F.I.R dated 12.12.2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, a total of 60.480 litres of foreign liquor is alleged to have been recovered from a car bearing Registration No. BR-1PB-5868. It is further alleged that 124.840 litres of liquor was recovered from the house of the co-accused, namely Ram Ratan Kumar.

4. Learned counsel for the petitioner submits that although the petitioner is the registered owner of the vehicle in question, the same had been given to the apprehended co-accused, namely Ram Ratan Kumar, who is his co-villager, for his personal use. It is contended that the said co-accused has misused the vehicle without the knowledge or consent of the



petitioner. It is further submitted that the alleged recovery of the seized liquor is said to have been made from the said vehicle while it was standing at the place of occurrence. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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-I, Bhojpur at Ara in connection with Krishnagarh P.S. Case No.171 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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