

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10711 of 2026

Arising Out of PS. Case No.-209 Year-2022 Thana- Excise P.S. District- Kishanganj

Kumar Madhukar S/O Pravaker Prasad Verma Resident Village- Shital nagar,
Pochaha Pokhar, P.S.- Sabour, District -Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shubhangi Pandey, Adv

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No. 209 of 2022, registered for the offence punishable under Sections 30(a) & 32(3) of Bihar Prohibition and Excise Act, 2018.

3. The case of the prosecution, in short, is that on 21.09.2022 at about 10:05 PM during checking, a four-wheeler car coming from Kishanganj side was intercepted. Upon search of the vehicle, one bottle of "After Dark Premium Grain Whisky-375 ml" was allegedly recovered from the vehicle. The total quantity of seized liquor is shown to be 0.200 ml (approx.). Two persons travelling in the vehicle were apprehended on the spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner has been implicated because he is the owner of the seized vehicle. Nothing has been recovered from the conscious physical possession of the petitioner. He further submits that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that no recovery has been made from the conscious physical possession of the petitioner and he has simply been implicated because he is the owner of the seized vehicle and also taking into account the fact that the petitioner has clean antecedent, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise II, Kishanganj in connection with Excise P.S. Case No. 209 of 2022, subject to the conditions laid down under section



482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 as also
further condition that:-

(i) the petitioner shall co-operate in the
investigation/trial.

(ii) the learned Court would, however, verify the
criminal antecedent of the petitioner and in case it is found that
the petitioner has concealed his criminal antecedent, the Court
below shall take step for cancellation of bail bond of the
petitioner. However, it is expected that the verification process
would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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