

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14256 of 2026

Arising Out of PS. Case No.-1238 Year-2025 Thana- Excise P.S. District- Patna

Pinku Kumar @ Pinku Gupta S/o- Bek Lal Gupta R/v- Chak Gaji Ps-
Ahiyapur Dist- Muzaffarpur, P/A- Karmalichak Ps- Chowk Dist- Patna
... .. Petitioner/s

Versus

The State of Bihar Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate
For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise (Patna) P.S. Case no. 1238 of 2025 instituted for the offence under Sections 30 (a) and 56 (b) of the Bihar Excise (Amendment) Act, 2018.

3. The case of the prosecution is that from a tempo altogether 189.480 liters of country made liquor and beer was recovered.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that Sintu Kumar, who was driving the Tempo was apprehended. It is further submitted that the petitioner has been named in this



case only because he is the owner of the tempo. The petitioner had no knowledge of the alleged liquor being transported. He had handed over the tempo to the driver, who misused the vehicle. It is further submitted that the petitioner is having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise (Patna) P.S. Case no.1238 of 2025, he will be enlarged on 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 Special Judge, Excise -III, Patna, subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

Ashok Kumar Pandey, J)

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