

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11705 of 2026

Arising Out of PS. Case No.-1683 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Arjun Kumar @ Arjun Prasad S/o Sukhai Bhagat R/o Village- Purainiya,
Panchayat Mahadeya, PS- Minapur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 1683 of 2025, F.I.R dated 19.10.2025 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on 19.10.2025 at about 9:40 PM, during vehicle checking conducted by the informant along with the Prohibition Armed Force, two persons riding a motorcycle from Siwaipatti attempted to turn back on seeing the police. They were apprehended along with the motorcycle. Upon search, a plastic bag placed between them on the seat was found containing 20 liters of illicit country-made liquor. The



accused identified themselves as Inspector Prasad (driver) and Kailash Mahto, and the liquor was recovered from an Apache motorcycle bearing Reg. No. BR06DF-0870.

4. Learned counsel for the petitioner submits that the Apache motorcycle though belongs to the petitioner, but was taken by one Durga Prasad, who is said to have mis-used the said motorcycle and has been apprehended on the spot with seized liquor along with one co-accused Kailash Mahto. The petitioner has clean antecedent.

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 and / or premises belonging to the petitioner and the petitioner has clean antecedent, 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-II, Muzaffarpur, in connection with Excise P.S. Case No. 1683 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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