

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17626 of 2026

Arising Out of PS. Case No.-440 Year-2023 Thana- Excise P.S. District- Samastipur

Lakhan Ram S/O Mishri Lal Ram R/O- Village- Ajna (Anjana), Ward No. 08,
P.S.- Kalyanpur, Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-03-2026 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 Sadar P.S. Case No.440 of 2023, F.I.R dated 20.09.2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 20.09.2023, the informant received secret information regarding the sale of illicit liquor by the petitioner. Upon verification, the informant, along with other police personnel, proceeded to the alleged place, where a search was conducted and 474.480 liters of foreign liquor was allegedly recovered from a hut said to belong



to the petitioner. Thereafter, a seizure list was prepared accordingly.

4. Learned counsel for the petitioner submits that the place of recovery is from an open space, inside the hut, which is accessible to general public. It has next been submitted that the petitioner has clean antecedent has the search and seizure is said to have been made without adhering to the mandatory procedures / provisions prescribed under the B.N.S.S. Act.

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 Special Judge Excise-II, Samastipur, in connection with



Excise Sadar P.S. Case No.440 of 2023 subject to the condition
as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

sharun/-

U		T	
---	--	---	--

