

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22674 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- Araria Sangram District- Madhubani

Kulbhushan Kumar S/o- Suresh Jha Resident of Village- Bishanpur
Srirampur, P.S.-Titara Asanan. District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Arariya Sangram P.S. Case No. 93 of 2025 (GR No. 804/2025) lodged on 28.12.2025, for the offence punishable under Sections 274, 275 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, FIR has been lodged against one named accused person and owner of a vehicle. Total recovery of 450 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious



possession of the petitioner and the alleged recovery has been made from the car. Counsel further submits that petitioner is not named in the FIR and he has been falsely implicated in this case due to the reason that the seized car belongs to petitioner which he already sold to other person. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Special Judge (Excise), Act, Jhanjharpur, in connection with Arariya Sangram P.S. Case No. 93 of 2025 (GR No. 804/2025), subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 with further conditions:-

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear before the Trial Court



on each and every scheduled date, and failure to do so for two consecutive dates without any plausible reason/explanation shall be resulted into cancellation of his bail bonds by the Trial Court itself;

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found at any stage that the petitioner has concealed the fact about his criminal antecedent(s), the Trial Court shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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