

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27642 of 2026

Arising Out of PS. Case No.-35 Year-2026 Thana- Excise P.S. District- Saran

Rahul Kumar Singh @ Rahul Singh @ Chikki Son of Anil Kumar Singh @
Anil Singh R/o Village -Tajpur, P.S. - Manjhi, Dist. - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 13-05-2026 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 (Saran) P.S. Case No.35 of 2026, F.I.R dated 11.02.2026 registered for the offences punishable under Sections 30(a), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 11.02.2026, Suresh Prasad Chaudhary, Inspector-cum-SHO of Prohibition and Excise P.S., lodged a self-written statement alleging that on 10.02.2026 at about 8:10 P.M., he received secret information that Ganesh Sah and Rahul Singh @ Chikki were transporting illicit liquor from Balia, U.P. and supplying it to different places through Salempur, Tajpur and Ekma. Acting on the information,



the police conducted a raid at village Ghorhat, Salempur, where the driver of a Scorpio vehicle bearing registration no. BR-01PG-1848 abandoned the vehicle and fled away on seeing the police. Upon search, the police recovered 259.20 litres of illicit foreign liquor from the vehicle. The liquor and vehicle were seized and a seizure list was prepared in presence of witnesses. Consequently, Excise Sadar (Saran) P.S. Case No. 35 of 2026 dated 11.02.2026 was registered under Sections 30(a), 32(3), and 41(1)(2) of the Bihar Prohibition and Excise Act.

4. Learned counsel for the petitioner submits that the illicit liquor has been recovered from a Scorpio vehicle bearing registration no. BR-01PG-1848 and the petitioner is neither the owner nor the driver of the said vehicle. It has further been submitted that the petitioner has been implicated in the present case due to previous antecedent and is in no way connected with the seized articles. Lastly, it has been submitted that the search and seizure is said to have been made without adhering to the 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, 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 Additional Sessions Judge cum Exclusive Special Excise Judge court No.3, Saran at Chapra, in connection with Excise Sadar (Saran) P.S. Case No.35 of 2026 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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