

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23550 of 2026**

Arising Out of PS. Case No.-309 Year-2022 Thana- Excise P.S. District- Kishanganj

Kunal Agarwala @ Kunal Agrawal S/o Late Navin Chandra Agrawal Resident of - Ballygunge Park, Kolkata, West Bengal - 700019 one of the partner of M/S Global Motocorp LLP, 41/A, AJC Bose Road, Diamond Prestige, Kolkata - 700017, State - West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Jitendra Pd. Singh, Sr. Advocate
	Mr. Varun Krishna Singh, Advocate
	Mr. Venkatesh Kaushik, Advocate
	Mr. Rajeev Kumar, Advocate
For the Opposite Party/s :	Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 22-04-2026 Heard learned senior counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Excise P.S. Case No. 309 of 2022 dated 19.11.2022 registered for the offences punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, during course of vehicle checking two persons were apprehended in a car and altogether half litre of illicit foreign liquor was recovered from their possession.

4. Learned senior counsel for the petitioner has



submitted that petitioner is not the owner of the seized vehicle in a personal capacity and actually he is one of the partners of M/S Global Motocorp Limited and authorized dealer of SKODA vehicle and the seized vehicle in question was actually a vehicle for test drive. Petitioner was not present at the place of alleged seizure. It has further been submitted that the vehicle was not under the control of the petitioner at the time of the seizure and Section 32(3) of Bihar Prohibition and Excise Act would not be applicable against the petitioner. It has further been submitted that the arrested persons have not disclosed anything against the petitioner, so as to show his complicity in the alleged seizure. The petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Kishanganj in connection with Excise P.S. Case No. 309 of 2022, subject to conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

7. The application stands allowed.

(Praveen Kumar, J)

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