

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23726 of 2026

Arising Out of PS. Case No.-48 Year-2026 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Anjani Kumar Thakur @ Anjani Kumar S/O Pravin Kumar @ Praveen Kumar
@ Pravin Kumar Thakur R/O Ward No. 8, Vishanpur, Bishunpur, Bisanpur,
P.S.- Muffasil, Dist.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-04-2026 Heard Mr. Keshav Bhardwaj, learned counsel for

the petitioner and Mr. Lakshmi Kant Sharma, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.01.2026 in connection with Samastipur Muffasil P.S. Case
No. 48 of 2026, F.I.R. dated 28.01.2026 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. Recovery is of 45 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears



from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from beneath a heap of straw lying outside the house of the petitioner and the petitioner has been made accused merely on the basis of suspicion. He further submits that there is non-compliance of Section 100 of Cr.P.C/103 of BNSS and the petitioner is in custody since 29.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances as well as the fact that petitioner has clean antecedent and nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Samastipur in connection with Samastipur Muffasil P.S. Case No. 48 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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