

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23635 of 2026

Arising Out of PS. Case No.-16 Year-2026 Thana- Excise P.S. District- Arwal

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Dharmvir Kumar Son of Ram Dayal Singh Resident of Village - Manga
Bigha, Mali, P.S.- Arwal, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 22-04-2026 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 (Arwal) P.S. Case No. 16 of 2026 registered for the offences punishable under Sections 30(A) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, two persons were apprehended on a motorcycles and from their possessions all together 10 litres of illicit country made liquor was recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case merely on the basis of being the owner of the seized vehicle. The petitioner was not arrested from the spot. It has further been submitted that the apprehended person did not allege any complicity against the petitioner. Moreover, no lawful procedure was followed with regard to the search and seizure. It



has also been submitted that the petitioner had given his motorcycle to the co-accused, Ram Dayal Yadav, in good faith, as he had requested the petitioner to lend the motorcycle to bring medicines for his mother, who was in a serious condition. Lastly, it has been submitted that although the petitioner has been made an accused in several cases but none of them are of similar nature.

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

6. Considering the aforesaid 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, Arwal, in connection with Excise (Arwal) P.S. Case No. 16 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

(Praveen Kumar, J)

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