

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24963 of 2026

Arising Out of PS. Case No.-1230 Year-2023 Thana- Excise P.S. District- Kishanganj

Abhinav Anand S/o Bhawanand Singh R/o - Harrio, P.S - Bihpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-04-2026 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Special Case No.1272 of 2023 arising out of Kishanganj Excise P.S. Case No.1230 of 2023, for the offence punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution, the total recovery of 375 ml of illicit *foreign* liquor have been alleged to be made from a motorcycle, 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 also submits that petitioner was not present on the spot and his name has been transpired only due to owner of the said vehicle.



Counsel further submits that criminal antecedent of the petitioner is clean. He further submits that the petitioner had sold the said motorcycle to one Ashok Kumar Singh, but ownership of the said motorcycle was not transferred in his name.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

6. As such, 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 learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Judge -II, Kishanganj, in connection with Special Case No.1272 of 2023 arising out of Kishanganj Excise P.S. Case No.1230 of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023

And further condition that the Trial Court 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 Trial Court 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.

(Dr. Anshuman, J)

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