

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26183 of 2026

Arising Out of PS. Case No.-268 Year-2025 Thana- Excise P.S. District- Nawada

Sanju Bhuiyan S/o Janki Bhuiyan, Resident of Village - Marmo, P.S. -
Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate.

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-04-2026 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No.268 of 2025/P.T.N. No.1081 of 2025
instituted under Sections 30(a), 47 of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, on getting secret
information, the police team reached at the place of occurrence
and recovered 368 liters of illicit liquor near a guava tree from
the motorcycle.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this case
only on the basis of suspicion made by the villagers. He further
submits that petitioner has no concern either with the alleged
seized liquor or with the seized motorcycle. Learned counsel
submits that the alleged recovery has been made near the guava



tree which is an open place and is accessible to public at large. He further submits that no incriminating article has been recovered from the conscious possession of petitioner. Learned counsel submits that petitioner has one criminal antecedent and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Court-2, Nawada/ concerned Court in connection with Excise P.S. Case No.268 of 2025/P.T.N. No.1081 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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