

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26891 of 2026

Arising Out of PS. Case No.-107 Year-2026 Thana- Excise P.S. District- Sitamarhi

Arjun Kumar Son of Devendra Sahni Resident of Village- Pitaunjhia
Jagarnath, P.S.- Aurai, (now- Hathauri), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner is apprehending arrest in connection with Sitamarhi Excise P.S. Case No. 107 of 2026, dated 12.01.2026, lodged under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, total recovery of 162 litres of illicit liquor has been made, 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. He further submits that nothing has been recovered from the possession of the petitioner. Counsel further submits that recovery has been made from the motorcycle, however, the petitioner has already



sold the alleged motorcycle in an exchange offer, the same has specifically been mentioned in paragraph Nos. 13 and 14. Furthermore, he submits that the criminal antecedent of the petitioner is not clean, as there is one criminal case pending against him, but in that case he has been acquitted.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not 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 Trial Court 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 Court-II, Sitamarhi, in connection with Sitamarhi Excise P.S. Case No. 107 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. It is further directed that the Trial Court shall verify the criminal antecedent of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of



the petitioner’s bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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