

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27458 of 2026

Arising Out of PS. Case No.-304 Year-2025 Thana- NAANPUR District- Sitamarhi

Rupesh Kumar son of Jagdish Prasad Sinha, R/O village Jagobigha, PS-
Chandi, Nalanda. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 13-05-2026 Heard Mr. Girish Chandra Jha, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Nanpur P.S. Case No. 304 of 2025 for the offence punishable under sections 30(a) of the Bihar Excise and Prohibition Act, lodged on 27.07.2025 by the informant.

3. As per the prosecution case, there has been recovery of 74.400 litres of illicit liquor has been recovered from a Car bearing Registration No. BR01CS 7486.

4. Learned counsel for the petitioner submits that the recovered illicit liquor does not belong to this petitioner and the petitioner has been made accused in this case on the ground that he is the owner of the car from where the recovery has been made. Learned counsel for the petitioner next submits that the said car has already been sold out to one Pappu Yadav on



18.01.2025 itself but the transfer of the vehicle could not be made. The sale letter of the said car is appended with the instant anticipatory bail at page 16 to 18 (Annexure-P/2). Learned counsel submits that the petitioner is ready to identify the purchaser in order to assist in the investigation to reach to a logical conclusion. Learned counsel lastly submits that the petitioner has got no criminal antecedents and the seized article is in no way connected to the petitioner.

5. Learned APP opposes the prayer submitting that the petitioner is the owner of the car from where the recovery has been made.

6. Considering the fact that the recovery has not been made from the constructive possession of this petitioner and the vehicle from where the recovery has been made, has already been sold out to one Pappu Yadav and the sale letter of the said vehicle is annexed as Anneuxre-P/2 and the petitioner has got no antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount



each to the satisfaction of learned Exclusive Special Excise Court-2, Sitamarhi in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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