

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29198 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- RAFIGANJ District- Aurangabad

Sunil Kumar S/o Naurangi Paswan R/o Village- Kajpa, P.S- Rafiganj, Distt.-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Rafiganj PS. Case No. 22 of 2026 dated 24-01-2026 instituted
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. The allegation is of recovery of 160 litres of spirit
and a Splendor motorcycle bearing Registration No. JH 03M
8996 from a field in village Bahadurpur near the cremation
ground behind the banyan tree near the straw.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating article
has been recovered either from the conscious possession of the



petitioner or from his house. It is further submitted that the petitioner has no concern whatsoever with the seized illicit spirit and is not the owner of the said motorcycle which was seized at the time of occurrence. The recovery has been made from an open place accessible to one and all and the petitioner has been implicated in the instant case only on the basis of secret information. The other co-accused, namely Chhotu Kumar and Ravi Kumar, have already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 25.03.2026 passed in Cr. Misc. No. 16785 of 2026. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No. 1, Aurangabad, in Rafiganj PS. Case No. 22 of 2026, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita* 2023.



7. The application stands allowed.

(Khatim Reza, J)

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