

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29339 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- CHANDI District- Bhojpur

Shiv Shankar Kumar @ Tipan Yadav @ Timal Kumar Yadav @ Timta Kumar
Yadav S/o Umesh Singh Resident of Village- Bhairo Tola Khangaon, PS-
Chandi, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ataul Haque

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-05-2026 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Chandi Police Station Case No. 34 of 2026,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. The prosecution case is that during evening
patrolling, the informant received secret information regarding
transportation of English liquor on a motorcycle towards village
Bhairo Tola. Acting on the information, the police party
proceeded to the spot, whereupon the accused allegedly fled
away after abandoning the motorcycle. Upon search, the police
recovered 40.5 litres of English liquor. During local enquiry, the



petitioner's name was allegedly disclosed by villagers and the local chowkidar, leading to registration of the present FIR against him.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. No incriminating article has been recovered from the conscious possession of the petitioner and the alleged seized articles are not connected with him. It is further submitted that the motorcycle allegedly used in the occurrence does not belong to the petitioner. Petitioner's name transpired merely on the disclosure of his name by chowkidar and local people.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is not the owner of the alleged seized motorcycle and he has been made accused merely on the basis of disclosure of his name made by chowkidar and local people, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1st, Bhojpur at Ara, in connection with Chandi Police Station Case No. 34 of 2026, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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