

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31631 of 2026

Arising Out of PS. Case No.-77 Year-2026 Thana- KUNDWACHAINPUR District- East
Champaran

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Ajit Kumar Ranjan S/o Ramchandra @ Ramchandra Baitha Resident of
Village-Bakrihari Ward No. 5, Police Station- Dhaka, District-
EastChamparan at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Kundwa Chainpur P.S. Case No.77 of 2026, F.I.R dated 27.02.2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 26.02.2026 at about 02:30 A.M., while on patrol duty near Kundwa Chainpur market, the police received secret information regarding illegal transportation of Nepali liquor. Acting on the information, the informant along with other police personnel proceeded to Sharma Chowk, where they allegedly saw six persons carrying



jute bags on their heads coming from the Nepal side. On noticing the police, the persons fled away after throwing the bags, though two of them were apprehended. Upon search, 180 liters of Nepali liquor was recovered.

4. Learned counsel for the petitioner submits that the place of recovery is from an open space, which is accessible to all. The name of the petitioner has transpired on the basis of disclosure made by apprehended co-accused, namely, Ranjan Das and Bijay Kumar Singh and no incriminating article is said to have been recovered from the constructive possession of the petitioner. It has further been submitted that the search and seizure is said to have been made without adhering to the procedures / provisions prescribed under the B.N.S.S. Act.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the name of the petitioner has transpired on the basis of disclosure made by apprehended co-accused, namely, Ranjan Das and Bijay Kumar Singh, accordingly, this Court is inclined to grant anticipatory



bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Civil Court, East Champaran, in connection with Kundwa Chainpur P.S. Case No.77 of 2026 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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