

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30171 of 2026

Arising Out of PS. Case No.-42 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Raj Kumar S/O Subhash Singh R/O Village- Nayanpur Ward No. 1, P.S.-
Simri Bakhtiyarpur, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Adv.
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Simri Bakhtiyarpur P.S. Case No. 42 of 2025 lodged on 02.02.2025, for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against the sole petitioner. Total recovery of 20.1 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. Counsel submits that nothing has been recovered from the conscious



possession of the petitioner and the alleged recovery has been made from a joint house of the petitioner and the petitioner has no concern with the alleged liquor. Counsel further submits that the petitioner has been falsely implicated in this case by the neighbour. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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 B.N.S.S., 2023 to the satisfaction of Exclusive Special Judge (Excise) II, Saharsa, in connection with Simri Bakhtiyarpur P.S. Case No. 42 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found at any stage that the petitioner has concealed the fact about his criminal antecedent(s), the Trial Court shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of the bail



bonds 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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