

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35230 of 2026

Arising Out of PS. Case No.-66 Year-2020 Thana- PATRAKARNAGAR District- Patna

Saurabh Kumar @ Saurav Kumar S/o Paachu Yadav R/o Village- Rikabganj,
P.S- Malsalami, Dist- Patna Petitioner/s

Versus

The State of Bihar Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 21-05-2026 The matter has been taken up today through video conferencing.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner is apprehending his arrest in connection with Patrakarnagar P.S. Case No. 66 of 2020. registered for the offence punishable under Section30(1)/41 of the Bihar Prohibition and Excise Amendment Act, 2018.

4. As per the allegation, 490 liters of country made liquor was recovered from an auto-rickshaw, which was lying in an abandoned state. The petitioner has been made accused being the owner of the auto-rickshaw in question, from which the alleged recovery has been made.

5. Learned counsel for the petitioner has submitted that though the petitioner is registered owner of the said auto-



rickshaw, but he had gifted the same to his brother-in-law, namely, Rakesh Kumar, and at the time of recovery, the petitioner was not having control over the said auto-rickshaw and he is in no way associated with the recovered liquor. Learned counsel for the petitioner has further submitted that the search and seizure is in violation of Section 105 BNSS. It has lastly been submitted that the petitioner has got no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

7. Heard the parties and perused the record.

8. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Jamui, in connection with Patrakarnagar P.S. Case No. 66 of 2020, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

9. This application stands allowed.

(Praveen Kumar, J)

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