

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34187 of 2026

Arising Out of PS. Case No.-227 Year-2026 Thana- Excise P.S. District- Nawada

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Kaushal Kumar S/o - Munna Yadav R/o vill - Chitarkoli, P.S.- Rajauli, Distt.-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in Excise Case
No. 227 of 2026 registered under Section 30(a) of the Excise
Act, 2022.

3. As per the prosecution story which has been lodged on
the basis of written report submitted by the informant to the
effect that on the date of occurrence i.e. 28.2.2026, the
informant got secret information about storage of wine near
boundary of forest department of Village Chitarkoli. The
informant by informing the senior officials proceeded to the
place of occurrence with police party and started search and
upon search, he recovered wine kept in carton at plastic bag and
total 71 litres of liquor was recovered from the place of



occurrence.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He was not present at the place of occurrence and except secret information, nothing has come against the petitioner. The petitioner was not even present at the place of occurrence. The learned counsel for the petitioner further submits that the petitioner has got clean antecedent.

4. The Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

5. Having heard the rival submissions and after going through the records, it appears that the petitioner was not present at the place of occurrence and the liquor has been seized from a place which is accessible to all. The name of the petitioner has come on the secret information, received by the informant. The petitioner has got clean antecedent.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Excise Court No. II, Nawada in connection with Excise Case No. 227 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(I) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the Court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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