

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34024 of 2026

Arising Out of PS. Case No.-106 Year-2026 Thana- PANAPUR District- Saran

Jitendra Singh @ Jitendra Kumar Singh S/O Late Kishor Singh R/O Vill.-
Fakuli Panapur, P.S- Panapur , Dist -Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

2. The petitioner is apprehending his arrest in connection with Panapur P.S. Case No. 106 of 2026 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 06.04.2026 by the informant.

3. As per the prosecution case, there has been recovery of 9 litres of illicit liquor, allegedly, from the vicinity of the house of the petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery is said to have been made from a water tank situated in the vicinity of the house of the petitioner and not from the constructive possession of the petitioner. The petitioner is an innocent person who runs a vehicle service Centre and he has falsely been implicated in this case on the basis of statement of



Mahal Chaukidar who is on inimical terms with the petitioner. The petitioner is neither the owner of the said water tank nor does he take care of the same. It has next been fairly submitted that the petitioner has got four criminal antecedent, out of which, three relates to the excise case but he is on bail in all those four cases.

5. Learned APP opposes the prayer for anticipatory bail submitting that the petitioner has got four antecedents.

6. Considering the fact that the recovery has not been made from the constructive possession of this petitioner and he is also not the owner of the water tank from where the recovery is said to have been made, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of *learned Special Judge, Excise- 2nd Saran at Chapra* in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s)



who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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