

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33990 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- SONO District- Jamui

=====

Dhiraj Kumar S/o Rajpati Singh R/o Village- Imbrahimpur Bihat, P.S. Ba-
rauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s: Mr. Akshay Lal Pandit

=====

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 21-05-2026 Heard learned counsel for the parties through
virtual mode.

2. The petitioner is apprehending his arrest in connection with Sono P.S. Case No.40 of 2026, F.I.R. dated 02.03.2026, registered for the offences punishable under Section 318(4) of the Bharatiya Nyaya Sanhita and 30(a), 30(d), 32 of Bihar Prohibition & Excise Act.

3. As per the prosecution case, on the basis of secret information, the police recovered 120 liters of illegal spirit and 650 pieces of bottle caps of illegal liquor from a truck bearing Registration No.BR-9PB3882.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case for ulterior reasons. The recovery has been made from a



truck belonging to the petitioner, however, from the perusal of the FIR itself, it appears that the truck was standing on the roadside and despite waiting for a considerable time, neither the driver nor the co-driver came near the vehicle. Thereafter, the vehicle was taken to the police station where search and seizure were conducted. It is further submitted that the truck had been handed over to the driver and the petitioner had no knowledge regarding the alleged illegal activities. Learned counsel further submits that the petitioner is in no way connected with the seized liquor. The petitioner has no criminal antecedent and is ready to abide by all terms and conditions as may be imposed by this Court while granting the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the truck was found parked on the roadside and since nobody came forward for a considerable period, the vehicle was taken to the police station where search and seizure were carried out.

6. Regard being had to the submissions made by the parties, and taking into consideration the fact that the illicit liquor has not been recovered from the constructive possession of the petitioner and that the petitioner has no criminal antecedent, this Court is inclined to grant anticipatory bail to the



petitioners.

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) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise act, Jhanjharpur in connection with Madhepur P.S. Case No.40 of 2026 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

shikha/-

U		T	
---	--	---	--

