

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34054 of 2026

Arising Out of PS. Case No.-73 Year-2026 Thana- BIBHUTIPUR District- Samastipur

Kari Das @ Laxhman Kumar Son of Late Ram Prakash Das @ Ram Pragash Das Resident of village- Ward No 2, Singhia Buzurg, Police Station -Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and the learned A.P.P. appearing for the State.

2. The petitioner apprehends his arrest in connection with Bibhutipur P.S. Case No.73 of 2026, for allegedly having committed offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on 14.02.2026, at about 16:00 hours, while the informant was on patrolling duty along with the police personnel, he received a tip-off that Kari Das and his brother, Shravan Das were selling liquor from a hut in Ward No.2. The informant along with police party reached near the place of



occurrence at around 06:40 p.m., however upon seeing the police party, two persons fled away from there. The local people identified the persons who fled away as the petitioner and Shravan Das. During search, total 9.970 litres of Indian made foreign liquor was recovered from the hut for which seizure list was prepared.

4. The learned counsel for the petitioner submits that the petitioner was not present at the place of occurrence and he is not the owner of the hut. The recovery has been made from a place which is open and accessible to all. The alleged liquor, which has been seized, does not belong to the petitioner and he has got a clean antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Having heard the learned counsel for the parties and after going through the records, it appears that the petitioner has been named as an accused in the present case only on the basis of the identification of the local people, who are said to have identified the petitioner and one Shravan Das, as the persons who were selling liquor. Nothing has been recovered from the petitioner and he has got a clean antecedent.

7. Taking into consideration the facts aforesaid, let the



petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on 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 Special Judge (Excise)-I, Samastipur in connection with Bibhutipur P.S. Case No.73 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

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 antecedent, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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