

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35123 of 2026

Arising Out of PS. Case No.-90 Year-2026 Thana- SANDESH District- Bhojpur

Pappu Singh @ Sanjay Kumar S/o Gupteshwar Singh Resident of Village-
Thirhkail, P.S.- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-05-2026 Heard Piyush Kumar Pandey, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Sandesh P.S. Case No. 90 of 2026 for the offence punishable under sections 30(a) of the Bihar Excise Act, lodged on 04.04.2026 by the informant.

3. As per the prosecution case, there has been recovery of 2000 Mili Litres of illicit Beer. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the alleged recovery has not been made from the constructive possession of the petitioner rather it has been recovered from the refrigerator kept in the house of the petitioner which is in joint possession of others also. There is a violation of Section 103 of the BNSS while making seizure of the said liquor. It has fairly



been submitted that the petitioner has got one criminal antecedent in connection with Sandesh PS Case No. 293/2022 under Section 379, 411 of the IPC in which, he is on bail.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that the recovery has not been made from the constructive possession of this petitioner and the house from where the seizure is said to have been made is in joint possession of others also, 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 six 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 Exclusive Special Judge, Excise-II Bhojpur at Ara 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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