

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36467 of 2026

Arising Out of PS. Case No.-86 Year-2026 Thana- SONBERSA District- Sitamarhi

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Anil Das Son of Ram Ishwar Das Resident of Ram Nagra, P.S.- Kanhauli,
District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Learned Counsel for the petitioner and learned APP
for the State are present.

3. The present criminal miscellaneous application has
been filed under Section 482 of the Bharatiya Nagarik Suraksha
Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for
grant of anticipatory bail to the petitioner who apprehends his
arrest in connection with Sonbarsa P.S. Case No. 86 of 2026,
lodged on 29.03.2026, under Section 30(a) of the Bihar
Prohibition and Excise Act and Sections 111, 125(a), 125(b) and
281 of the Bharatiya Nyaya Sanhita, 2023.



4. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner. Total recovery of 954 litres of Nepali wine has been made which is the subject matter of the present case.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that antecedent of the petitioner is clean and his name has surfaced in the confessional statement of co-accused. Counsel submits that the recovery of alleged Nepali wine has been made from a Scorpio. Counsel submits that petitioner is not the owner of the said vehicle. Counsel further submits that nothing has been recovered from his conscious possession. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is corroborative material as driver has directly stated about the *modus operandi*.

7. In the present facts and circumstances of this case, let the petitioner, above named, be released on anticipatory bail **subject to deposit of Rs. 40,000 (Forty Thousand) in the account of Excise Department**, in the event of arrest or surrender before the learned Court below within a period of 4



weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Judge, Exclusive Excise Court-01, Sitamarhi, in connection with Sonbarsa P.S. Case No. 86 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. And further condition that the Trial Court 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 Trial Court shall take step 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.

(Dr. Anshuman, J)

Mkr./Bipin/-

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