

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35495 of 2026

Arising Out of PS. Case No.-106 Year-2026 Thana- HULASGANJ District- Jehanabad

Pramod Kumar @ Pramod Sao Son of Late Madhu Sao Resident of Village-
Hulasganj, P.S.- Hulasganj in the district of Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 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 Hulasganj P.S. Case No. 106 of 2026, for allegedly having committed offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

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 28.03.2026, while he along with police party was on morning patrolling duty, he received a confidential information that one Chunni Devi at village Kasiyawan is selling illegal liquor. To verify the authenticity of the said information, the informant along with the police party reached there and upon seeking the police, the said Chunni Devi



succeeded in fleeing away. On search 10 litres of Mahua wine was recovered from the main gate of Chunni Devi. A seizure list was prepared. Further, on information, the petitioner reached Raghunathpur Tola and apprehended one Chhathu Manjhi with illegal wine and on seeing the police, one person succeeded in fleeing away. On search, 3 litres of Mahua wine was recovered kept in a plastic bottle from the house of arrested person, Chhathu Manjhi.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence, rather his name has transpired in the present case on the basis of the confessional statement of co-accused, Chhathu Manjhi. He further submits that 3 litres of Mahua wine was recovered from the house of Chhathu Manjhi and no recovery has been made from the petitioner, since he was not present at the place of occurrence. He further submits that the petitioner is an accused in Hulasganj P.S.Case No.339 of 2017 under different sections of the Indian Penal Code, however he has been acquitted in the said case on the basis of compromise.

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

7. Having considered the rival submissions and after



going through the records, it appears that 3 litres of Mahua wine was recovered from the house of Chhathu Manjhi and on the basis of the confessional statement given by him, the name of the petitioner has transpired in the present case. The petitioner was not present at the place of occurrence, therefore there is no question of any recovery from him. Further, the petitioner was an accused in one other case, however he has been acquitted in the said case.

8. 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 Chief of Special Excise Judge-1, Jehanabad in connection with Hulasganj P.S. Case No.106 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.)

Sanjay/-

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

