

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37114 of 2026

Arising Out of PS. Case No.-1206 Year-2023 Thana- Excise P.S. District- Kishanganj

Kanhaiya Kumar Son of Ajay Singh Resident of Village- Bargawan, P.S.-
Sirdala, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate
For the Opposite Party : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-06-2026 Heard the parties.

2. The petitioner seeks anticipatory bail in connection with Excise P.S. Case No.1206 of 2023 registered for the offence under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The police apprehended the co-accused, who was riding a motorcycle and upon search about 3.375 liters of illicit liquor has been recovered from his possession. The petitioner is the owner of the seized motorcycle.

4. Learned counsel for the petitioner submits that the petitioner has been made accused in this case only on the ground that he is the owner of the motorcycle which was driven by the co-accused.

5. Learned counsel for the petitioner also submits that the petitioner is ready to donate Rs.10,000/- in



some charitable organization without accepting his guilt.

6. Learned APP appearing for the State opposes the prayer for bail of the petitioner.

7. Considering the facts and circumstances of the case and also the submission of learned counsel for the petitioner, let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Kishanganj / concerned Court below, in connection with Excise P.S. Case No.1206 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs.10,000/- in Ramakrishna Math, Village - Jharha (near Matua Pahar), P.O.- Gurua, District- Gayaji, Bihar 824205 and produce the receipt of the same before the Court below at the time of furnishing bail bonds. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by him.

9. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail



application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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