

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39248 of 2026

Arising Out of PS. Case No.-434 Year-2025 Thana- RAJAPAKAR District- Vaishali

Arun Kumar Son of Rama Nand Thakur Resident of Village- Dighi Kala
(West), P.S.- Hajipur Sadar in the District of Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Rajapakar (Barati) P.S. Case No. 434 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of **five litres** of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with the present recovery of illicit liquor only for the reason that he was the owner of the motorcycle which alleged to be involved in carrying of illicit liquor.

5. It is submitted that the motorcycle in issue was sold



by the petitioner long back to one Anand Kumar in terms of sale agreement dated 19.07.2020, which is at Annexure P/2. It is submitted that as the process of transfer of ownership of the motorcycle was pending before the concerned motor vehicle authority, in the meantime, the motorcycle was misused for carrying of illicit liquor.

6. Arguing further, it is submitted that admittedly recovery of illicit liquor was not made from conscious physical possession of this petitioner, who claimed to be a man of clean antecedent.

7. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

8. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-II-cum-Additional District and Sessions Judge, Vaishali at



Hajipur/concerned court in connection with Rajapakar (Barati)
P.S. Case No. 434 of 2025, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C/Section 482(2) of the
Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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