

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39201 of 2026

Arising Out of PS. Case No.-289 Year-2025 Thana- BELAGANJ District- Gaya

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Dablu Kumar @ Dabalu Kumar, S/o Raj Kumar Prasad, Resident of Village-
Chakarmasi, Nawasichak, P.S. - Dhanrua, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Belaganj P.S. Case No.289 of 2025 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 2,748 liters of IMFL/country-made liquor (beer).

4. It is submitted by learned counsel appearing for petitioner that the petitioner has been implicated with present recovery of illicit liquor (beer) only for the technical reason as he was the registered owner of the Bolero pick up



vehicle, which alleged to be involved in carrying illicit liquor. It is submitted that the vehicle in issue was already sold by this petitioner on 05.05.2025, whereas the alleged recovery was made on 21.05.2025. In support of his submission, learned counsel referred to Annexure-2 of the present bail petition, showing the agreement to sale, having all details of the person to whom the vehicle in issue already sold. Arguing further, it is pointed out that in any case, it can be safely gathered that recovery of illicit liquor was not made from conscious physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of 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, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to 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 Court of Exclusive Special Judge Excise, Court No.2, Gaya Ji in connection with Belaganj P.S. Case No.289 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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