

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36838 of 2026

Arising Out of PS. Case No.-159 Year-2026 Thana- Excise P.S. District- Buxar

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Santosh Kumar Singh, S/o Vishishth Singh R/o village - Rauni, P.S.- Rajpur,
Distt.- Buxar. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 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 Buxar Excise P.S. Case No.159 of 2026 registered under Section 30(a), 32(2) and 41 of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 36 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that admittedly the recovery of alleged illicit liquor was not made from physical possession of this petitioner and he was implicated with present case for the reason that he is



the owner of the motorcycle, which was alleged to involved in carrying consignment of illicit liquor. It is submitted that the motorcycle in issue was given to the friend of petitioner under good faith. The petitioner claimed 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, accordingly, the petitioner, above-named, who is a man of clean antecedent, 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 Exclusive Special Judge, Excise Court No.-2, Buxar in connection with Buxar Excise P.S. Case No.159 of 2026, 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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