

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38142 of 2026

Arising Out of PS. Case No.-881 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

Baiju Kumar S/o Kishuni Prasad R/o Mohalla - Bhupatipur, PS - Ram
Krishna Nagar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Soni Kumari, Advocate

For the State : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Ram Krishna Nagar P.S. Case No. 881 of 2024 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act.

3. The petitioner is the owner of the scooty from
which 5 liters of illicit liquor has been recovered.

4. Learned counsel for the petitioner submits that the
petitioner is not accused in any case under the Excise Act.

5. It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and he has falsely been
implicated in this case.

6. Learned counsel for the petitioner submits that the



petitioner is ready to donate Rs. 10,000/- in some charitable organization without accepting his guilt.

7. Considering the aforesaid fact, this application is allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, 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 Special Judge Excise-II, Patna/ concerned Court below in connection with Ram Krishna Nagar P.S. Case No. 881 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

9. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 10,000/- in Ramakrishna Mission Ashrama, Ramakrishna Avenue, Nala Road Patna and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

10. Furthermore, as the petitioner claims to have only one criminal antecedent under the Bihar Prohibition and Excise



Act, i.e., Ram Krishna Nagar P.S. Case No. 881 of 2024, the Court below, before accepting the bail bonds of the petitioner is directed to verify the antecedent of the petitioner under the Excise Act. If the petitioner is found to be involved in any other case under the Excise Act except Ram Krishna Nagar P.S. Case No. 881 of 2024, then his bail bonds shall not be accepted.

11. As a condition of this order, the petitioner, after being released on anticipatory bail, is directed to mark his attendance at Ram Krishna Nagar, District-Patna on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

12. 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 express any opinion on the merits of the case.

(Sandeep Kumar, J)

P. Kumar

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