

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40074 of 2026

Arising Out of PS. Case No.-106 Year-2023 Thana- KORANSARAI District- Buxar

Arju Hussain @ Aarjoo Khan S/o Akaram Khan R/o Village - Sarimpur, P.S -
Buxar(Ind), Dist- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Koran Sarai P.S. Case No. 106 of 2023 registered for the offences punishable under Sections 414, 467, 468, 472, 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per FIR, co-accused persons were apprehended with **673.2 liters** of prohibited/illicit liquor. It is also alleged that accused persons were using the vehicle for carrying consignment of illicit liquor under the sticker and impression that the vehicle is of Police.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with the present crime in



question and recovery of illicit liquor only for the reason that he was the registered owner of the vehicle which alleged to be involved in carrying of illicit liquor.

5. It is submitted that in fact the vehicle in issue was sold long back to one Kamlesh Kumar Singh on 12.02.2022, whereas the present occurrence took place on 21.10.2023 i.e. after about 1½ year. It is submitted that all the basic formalities like signing of statutory Form No. 29 & 30 (Annexure 2 series) regarding sale of the vehicle as prescribed under the Motor Vehicles Act was completed, but the vehicle was not transferred and in meantime it was apprehended with illicit liquor. Petitioner claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as the vehicle in issue *prima facie* appears sold to one Kamlesh Kumar Singh before the occurrence, for which the prescribed statutory form has already been signed in terms of Annexure '2' series as discussed aforesaid, accordingly, above-named petitioner, who is a man of clean antecedent, 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 Special Excise Court No. 1, Buxar/concerned court in connection with Koran Sarai P.S. Case No. 106 of 2023, 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)

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