

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40034 of 2026

Arising Out of PS. Case No.-1982 Year-2025 Thana- PHULWARISHARIF District- Patna

Sunil Kumar, S/o Late Shankar Prasad, R/o Chhoti Badalpura, Khagaul,
Police Station- Khagaul, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Phulari Sharif

P.S. Case No.1982 of 2025, Special Case No.2008 of 2025

registered under Section 30(a) of the Bihar Prohibition and

Excise Act.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 70 liters of IMFL/country-made liquor from a

scooty.

4. It is submitted by learned counsel appearing for



petitioner that recovery of alleged illicit liquor was not made from physical possession of this petitioner, who is a man of clean antecedent. It is also submitted that the seizure list appears disputed, as it was not supported by independent witnesses rather by police personnel, which also makes it doubtful.

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 Special Judge, Excise 1st, Patna in connection with Phulwarisharif P.S. Case No.1982 of 2025, Special Case No.2008 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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