

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42908 of 2026

Arising Out of PS. Case No.-155 Year-2024 Thana- GAMAHARIYA District- Madhepura

Karnjeet Kumar, S/o Abhinandan Yadav, R/o Vill.- Jiwachhpur, ward No.03,
P.S.- Gamahariya, Dist.- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 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 Gamahariya
P.S. Case No.155 of 2024 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 08 litres of Cough Syrup.

4. It is submitted by learned counsel appearing for
the petitioner that the seized illicit liquor was recovered from
a Bike bearing Registration No. BR-01AP-7080. It is initially



submitted that the present case was instituted under the provisions of the Excise Act and not under the NDPS Act. It is further submitted that the petitioner's name has been surfaced in the present case during the course of investigation, and not on the basis of any material demonstrating his conscious possession, involvement or complicity in the alleged offence. It is further submitted that seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. 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 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 District and Additional Sessions Judge-V-cum-Special Judge Excise-1, Madhepura in connection with Gamahariya P.S. Case No.155 of 2024, 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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