

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42226 of 2026

Arising Out of PS. Case No.-273 Year-2026 Thana- BETTIAH CITY District- West
Champaran

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Munna Kumar @ Munna Ram S/o Buddhu Ram R/o Village - Ambedkar
Nagar, PS - Bettiah Town, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Ranjan Garg, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Bettiah Town P.S. Case No. 273 of 2026 lodged on 10.05.2026, for the offence punishable under Sections 30(a), 41(1) & 52 of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending in the Court of Special Judge, Excise 1st, Bettiah, West Champaran.

3. As per the prosecution, FIR has been lodged against the sole petitioner and owner of a motorcycle. Total recovery of 12.5 litres of illicit liquor has been made, which is the subject matter of the present case.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and the said recovery has been made from a motorcycle. Counsel submits that the petitioner was not apprehended from the place of occurrence. He further submits that the petitioner has 08 criminal antecedents, out of which, one case has been disposed of by the Lok Adalat and in rest 07 cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has 08 criminal antecedents out of which, three cases are registered under the Excise Act and this aspect must be taken into consideration.

6. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

7. However, if petitioner surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner has been



rejected by this Court and the Trial Court shall pass order on the
merit of this case.

(Dr. Anshuman, J)

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