

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45549 of 2026

Arising Out of PS. Case No.-121 Year-2025 Thana- BELAW District- Kaimur (Bhabua)

Krishna Prasad @ Kishan Bind @ Krishna Bind Son of Shyam Sundar Bind
Resident of Village- Bagajpura (Jogia), P.S.- Chenari, District- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raghunandan Kumar Singh, Adv.
For the Opposite Party : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 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 Belaon P.S.

Case No.121 of 2025 registered under Section 317(5) of

Bharatiya Nyaya Sanhita (hereinafter referred as 'B.N.S.',

2023) and 30(a) of Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 16 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that recovery of alleged illicit liquor was made



from a bike which was driven by co-accused, namely, Raju Kumar. It is also submitted name of petitioner arrayed solely on the disclosure made by the said co-accused. It is further submitted that petitioner is neither the owner of said motorcycle nor was he apprehended at the spot and, therefore, it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is pointed out that seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Explaining criminal antecedent, it is submitted that the petitioner found involved in one criminal case, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, 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 Exclusive Special Excise Court No.2 Kaimur at Bhabua, in connection with Belaon P.S. Case No.121 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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