

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43473 of 2026

Arising Out of PS. Case No.-708 Year-2022 Thana- DANAPUR District- Patna

Binay Kumar Son of Devendra Prasad Resident of Mohalla- Kela Market,
Pethiya Bazar, P.O.- Danapur Cantt, P.S.- Danapur, Dist.- Patna, 801503,
Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Md Shadab Alam Wazdi, Advocate
For the Opposite Party : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Danapur P.S. Case No.708 of 2022 registered under Sections 30(a), 32(i), 32(ii) and 41(i) (ii) of Bihar Prohibition and Excise Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 81.45 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged illicit liquor was



made from a car bearing Registration No. BR01AX 6592 which was involved in carrying illegal consignment of liquor. It is also submitted that name of petitioner arrayed solely for the reason that petitioner is the registered owner of the said vehicle. It is further argued that the said vehicle was already sold to other person and the transfer of registered owner name could not be done due to ill health of the petitioner and also it can be pointed out that recovery of illicit liquor was not made from conscious possession of this petitioner. 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 note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is man of clean antecedent, 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 Special Excise Judge, Danapur, Patna, in connection with Danapur P.S. Case No.708 of 2022, 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.)

Aniket/-

U		T	
---	--	---	--

