

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43024 of 2026

Arising Out of PS. Case No.-136 Year-2026 Thana- RAJGIR District- Nalanda

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Bikash Kumar S/o Vijay Kumar R/o Village - Hiranman Bigha, P.S -
Nardiganj, District - Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party : Mr. Navin Kumar Pandey, APP

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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 named in the FIR and

apprehending his arrest in connection with Rajgir P.S. Case

No.136 of 2026 registered under Section 30(a) of Bihar

Prohibition and Excise Amendment Act, 2018.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 43.5 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the name of petitioner arrayed solely for

the reason that petitioner is the owner of E-rickshaw bearing



Registration No. BR27RA 3486, which was involved in carrying illicit liquor without the knowledge of petitioner. It is further submitted that petitioner's vehicle was driven by the driver, namely, Sonu Kumar, who was apprehended on the spot and also the petitioner was not present at the spot. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the 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 Special Judge, Excise-II, Biharsharif, Nalanda, in connection with Rajgir P.S. Case No.136 of 2026, 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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