

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43415 of 2026

Arising Out of PS. Case No.-55 Year-2026 Thana- EXCISE BIRAUL District- Darbhanga

Ajay Kumar Sahu S/O Mahendra Sahu R/O Village- Nimi, Ward No. 5, P.S-
Singhiya, District -Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nawal Kishor Prasad, Advocate
For the Opposite Party : Mr. Md. Iftekhar Mahmood, 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 Excise Biraul

P.S. Case No.55 of 2026 registered under Section 30(a) of

Bihar Prohibition and Excise Act, 2016.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 13.8 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 motorcycle bearing



Registration No.BR33BC1965, which was involved in carrying illegal consignment of liquor. It is also submitted that the said motorcycle was misused by his son, namely, Harishankar Sahu, without any knowledge of petitioner. It is further 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. 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 a 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 Exclusive Special Excise Court- 1, Darbhanga, in connection with Excise Biraul P.S. Case No.55 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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