

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48173 of 2026

Arising Out of PS. Case No.-271 Year-2025 Thana- KAMTAUL District- Darbhanga

Sujit Kumar @ Sujeet Kumar @ Sujit Yadav @ Sujeet Yadav son of Vijay Yadav @ Vijay Kumar R/o - Madhopatti, P.S - Kamtaul, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kamtaul P.S. Case No. 271 of 2025, F.I.R dated 13.12.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution case, while on patrolling and anti-liquor raid duty, the informant received secret information that Ranjan Yadav, Sujit Yadav, Munna Yadav and Vikash Yadav were storing and selling foreign liquor from a mango orchard near Mohammadpur Market. On reaching the spot, the police saw three-four persons fleeing, who escaped taking advantage of



darkness and fog. A search of the orchard, a scooty bearing registration No. BR-32AJ-8922 led to the recovery of 431.999 litres of foreign liquor (414.720 litres from the orchard and 17.280 litres from the vehicles). A seizure list was prepared, and on the basis of the written report the case was instituted.

4. Learned counsel for the petitioner submits that recovery of seized foreign liquor has been made two places, one being mango orchard and the second a scooty bearing registration No. BR32AJ8922. Neither the petitioner is the owner of the mango orchard nor of the scooty. It has next been submitted that this petitioner ha falsely been implicated in this case on the basis of sacret information and for the similar allegation, the other co-accused persons namely Rajnish Ranjan Prasad @ Ranjan Yadav and Bikash Kumar Gope @ Bikash Yadav is already on bail. Lastly, it has been submitted that the petitioner has got clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the facts and circumstances of the case, and taking into account that no illicit liquor has been recovered from the constructive possession of the petitioner, that the place of seizure and the said scooty has no connection with the



petitioner and the petitioner having clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Dharbhanga in connection with aforementioned P.S. Case subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023. and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist



*from committing any criminal offence again,
failing which the State shall be at liberty to
take steps for cancellation of their bail
bonds.*

(Ajit Kumar, J)

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