

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44951 of 2026

Arising Out of PS. Case No.-365 Year-2026 Thana- DARIYAPUR District- Saran

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Sanny Kumar @ Sunny Kumar @ Sanni Kumar S/o Sharmanand Sah
Resident of Village - Kanakpur, P.S. - Dighwara, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Adarsh Ranjan, Advocate

For the Opposite Party : Mr. Kanhaiya Kishore (App.100)

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2026 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 Dariyapur P.S. Case No.365 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 128.96 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 two cars bearing Registration No. BR01DY 2497



and BR01PH 9187. It is also submitted that name of this petitioner arrayed solely on the disclosure made by apprehended co-accused, namely, Anil Kumar Ray. It is further submitted that the said two does not belong to petitioner 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 further argued 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 four more criminal cases, 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 Additional Sessions Judge cum Exclusive Special Court, Excise Act- 1, Saran at Chapra, in connection with Dariyapur P.S. Case No.365 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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