

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50261 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- SAHIYARA District- Sitamarhi

Krishna Nandan Choudhary Son of Sanjay Yadav Resident of Village- Dr.
Mashooque Ali Road, P.S.- Khajkala, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sahiyara P.S. Case No. 08 of 2026 dated 22.01.2026 registered for the offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the allegation, two motorcycles were intercepted and two persons came to be arrested who were co-accused namely, Sunil Kumar and Rajeev Thaku. It has been alleged that each motorcycle was carrying 45 litres of foreign liquor, altogether 90 litres of foreign liquor was recovered.

4. Learned counsel for the petitioner has submitted that petitioner happens to be the owner of one of the motorcycles from which the alleged recovery of 45 litres of



foreign liquor has been made. It has further been submitted that at the time of seizure, the said motorcycle was not under the control of the petitioner. It has further been submitted that the procedures prescribed under Section 103/105 of B.N.S.S. have not been followed in this case. It has further been submitted that petitioner who happens to be the elected *Sarpanch* of the village, had given his motorcycle to Sunil Kumar for his personal work, and the petitioner was not aware about the evil designs of the said Sunil Kumar. Lastly, it has been submitted that petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the learned counsel for the parties and perused the record.

7. Considering the facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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, Exclusive Excise Court – 01, Sitamarhi, in connection with Sahiyara P.S. Case No. 08 of 2026, subject to conditions as laid



down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

Ankit Kumar/-

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