

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45793 of 2026

Arising Out of PS. Case No.-293 Year-2020 Thana- AKBARPUR District- Nawada

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Krishna Kumar, S/O Bhola Yadav, R/O Village- Kandi Nawada, P.S.
-Chandauti, District- Gayaji.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 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 Akbarpur P.S.

Case No.293 of 2020 registered under Section 30(a) of the

Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 60 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the seized illicit liquor was recovered from

a Bike bearing Registration No. BR-02AH-6986. It is further



submitted that the petitioner's name has been surfaced in the present case solely on the ground that he is the registered owner of the seized vehicle, and not on the basis of any material demonstrating his conscious possession, involvement or complicity in the alleged offence. It is pointed out that the bike from which the alleged recovery was effected had already been sold to one, namely, Mantu Kumar, who has yet to have the vehicle transferred in his name. It is also pointed out that seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. Moreover, 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 fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner above-named, who is a man of clean antecedent, 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-I, Nawada in connection with Akbarpur P.S. Case No.293 of 2020, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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