

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45531 of 2026

Arising Out of PS. Case No.-379 Year-2025 Thana- BANJARIA District- East Champaran

Pradip Kumar, S/o Jaykishore Sahani @ Jay Kishor Sahni, Resident of
Village- Raghunathpur, P.S- Raghunathpur, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 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 Banjariya

P.S. Case No.379 of 2025 registered under Sections 274,

275 of the Bharatiya Nyaya Sanhita (in short 'BNS',2023)

and Section 30(a) of the 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 100 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. BR05BJ-4279. 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 also pointed out that seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. The 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 No.-01, East Champaran at Motihari in connection with Banjariya P.S. Case No.379 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Raushan/-

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