

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46779 of 2026

Arising Out of PS. Case No.-32 Year-2026 Thana- KOCHADHAMAN District- Kishanganj

Anupam Kumar aged about- 40 years, Male, Son of Naresh Kumar Yadav,
Resident of village- Chatra Chak, P.S.- Arar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-07-2026 Heard Mr. Rajeev Ranjan, learned counsel
appearing on behalf of the petitioner and Mr. Gauri Shankar
Gupta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Kochadhaman P.S. Case No. 32 of 2026 giving rise to Special Case No. 24 of 2026 registered for the offence punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 143.840 litres of illicit liquor from a vehicle bearing Registration No. BR43AE 7577 registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. The vehicle was being driven by the co-



accused (Driver) Rajiv Kumar, who was arrested on the spot and he had disclosed the name of the petitioner in his confessional statement that the vehicle is registered in the name of the petitioner. Petitioner has no concern with the alleged seized liquor nor he is involved in trade or manufacturing of illicit liquor in any manner. The petitioner had no knowledge that his vehicle is being misused for carrying illicit liquor. Petitioner denied his complicity in the alleged offence. On these grounds, petitioner having clean antecedent, seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the FIR and the fact that the vehicle was being driven by the co-accused (Driver) Rajiv Kumar, who was arrested on the spot and he had disclosed the name of the petitioner in his confessional statement that the vehicle is registered in the name of the petitioner. The petitioner had no knowledge that his vehicle is being misused for carrying illicit liquor and he has clean antecedent. The State has failed to implement its liquor policy in its true spirit, I am of the opinion that petitioner has, prima facie, made out a case to be released



on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court 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 the learned District Court where the case is pending, in connection with Kochadhaman P.S. Case No. 32 of 2026 giving rise to Special Case No. 24 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

8. **The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

9. The present bail application is disposed of.

(Purnendu Singh, J)

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