

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48147 of 2026

Arising Out of PS. Case No.-109 Year-2026 Thana- JANDAHA District- Vaishali

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Pankaj Kumar S/o Ramlaulin Sahni Resident of Dulaur, Ward No 03, PS-
Jandaha, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jandaha P.S. Case No. 109 of 2026, F.I.R dated 05.03.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amendment Act).

3. As per the prosecution case, the informant along with his police team was on Bank checking and conducting vehicle checking and in the meantime got information from SHO that transportation of illegal liquor is going on by motorcycle near a graveyard situated at Village -Bedaulia. To verify the said information and necessary action, police team reached at the Graveyard situated at Village- Bedaulia and saw



that one person is coming on his motorcycle and on seeing the police team he parked his motorcycle and tried to flee away but he was apprehended on chase on enquiry, the apprehended person disclosed his name as Santosh Kumar and on search of motorcycle bearing Reg. No. BR33BJ0671, a total of 12.500 Liters of country made liquor has been recovered. Further, seizure was prepared in accordance with law. Hence the F.I.R.

4. Learned counsel for the petitioner submits that petitioner is owner of the motorcycle bearing registration No. BR33BJ0671, from where the illicit liquor is said to have been recovered. It is the case of the petitioner that the said motorcycle was being driven by his cousin brother-in-law for festival shopping during Holi festival, who was apprehended and is on bail. Lastly, it has been submitted that the petitioner has got clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the fact and circumstances and taking into account the fact that illicit liquor has not been recovered from the constructive possession of this petitioner and the person apprehended with seized article is on bail. Further, the petitioner having clean antecedent, accordingly, this Court is



inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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 learned Exclusive Special Excise Court No.1-Cum-District and Additional Sessions Judge, Vaishali at Hajipur in connection with aforementioned PS Case subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023 and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal



offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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