

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47288 of 2026

Arising Out of PS. Case No.-105 Year-2026 Thana- BELDOUR District- Khagaria

Ujjwal Kumar S/o Umesh Singh Resident Of Village - Pansalwa, P.S.
-Beldaur, Dist. -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Beldaur P.S. Case No.105 of 2026 for allegedly having committed offences under Section 223 of B.N.S. as well as Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that while the information was on night patrolling and when he reached near zero mile at around 03:00 a.m., he received secret information that the petitioner and one Gaurav Kumar are unloading foreign liquor from a Scorpio near Zamindari Bandh. After giving information to the higher authorities and to verify the authenticity of the information, the



informant along with the police party reached near Zamindari Bandh, however upon seeing the police party five persons started fleeing away. The local Chowkidar, in torch light identified two persons, however he could not identify three other persons. The persons who were identified by the local Chowkidar were the petitioner and co-accused, Gaurav Kumar. When the Scorpio vehicle bearing Registration No.JH15J 1052 was searched, total 389.400 litres of foreign liquor was recovered.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case, since he has got one criminal antecedent of similar nature, in which he is on bail. He further submits that the petitioner was not even present at the place of occurrence and he has got no concern with either the seized Scorpio or the alleged seized liquor. He further submits that the name of the petitioner transpired in the present case on the basis of the identification made by the local Chowkidar, who identified the petitioner to be the person who fled away with one another person. He submits that the local Chowkidar has got personal enmity with the petitioner and therefore he named the petitioner as the person who fled away.



5. *Per contra*, the learned A.P.P. for the State opposes the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner has got a criminal antecedent of similar nature.

6. Having considered the rival submissions and after going through the records, it appears that total 389.400 litres of foreign liquor was recovered from a Scorpio at night and two person were identified by the local Chowkidar, out of whom one is the petitioner. Some persons managed to flee from there. It further appears that even the vehicle does not belong to the petitioner.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, 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 Judge-II, Khagaria in connection with Beldaur P.S. Case No.105 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found



that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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