

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47299 of 2026

Arising Out of PS. Case No.-118 Year-2026 Thana- Singhaul District- Begusarai

Sunil Kumar S/o Vindeshwari Mahto R/o Village - Sushil Nagar, Ward no. 07,
P.S. - Singhaul, District - Begusarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, 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 Singhaul P.S. Case No.118 of 2026 for allegedly having
committed offence under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) 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 he was on patrolling duty, he received a
secret information that a blue colour four wheeler bearing
Registration No. BR09AQ-0602 is carrying illegal liquor and
during course of the same one person has been injured due to
accident from the said vehicle. To verify the authenticity of the
said information, the informant started vehicle checking drive



and saw the blue colour vehicle coming and upon seeing the police party, three persons managed to escape, after stopping the vehicle 50 meters from the checking point and the fourth person was apprehended, who disclosed his name as Om Prakash Rai. The apprehended person disclosed the name of one another person who fled away as that of the petitioner herein. He could not disclose the names of other two persons who fled away. From the search made of the vehicle, total 2.750 litres of foreign liquor was recovered and the apprehended person disclosed that the petitioner along with the apprehended person and two other persons used to sell liquor.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the petitioner was not present at the place of occurrence and his name transpired in the present case, since he is the owner of the alleged vehicle, which has been seized along with 2.750 litres of foreign liquor. He submits that he was not aware about seizure of liquor, since he was not present at the place of occurrence. He submits that the vehicle was taken away by his friend namely Om Prakash Rai for some urgent need and on his disclosure, the name of the petitioner has transpired. He further submits that the petitioner is an accused in three other



cases of similar nature of offence, however in all the case he is on bail.

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 is an accused in three other cases of similar nature, therefore he does not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the records, it appears that total 2.750 litres of foreign liquor was recovered from a four wheeler bearing Registration No. BR09AQ-0602. The petitioner was not present at the place of occurrence and his name transpired in the present case on the basis of the confessional statement given by the co-accused and since he is the owner of the alleged vehicle, which has been seized along with the liquor.

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 Judge- Excise-I, Begusarai in connection with Singhaul P.S. Case No.118 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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