

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48142 of 2026

Arising Out of PS. Case No.-127 Year-2026 Thana- ISUAPUR District- Saran

Sunil Kumar Son of Tarkeshwar Bhagat R/O Village - Mahuli, P.S.- Tariya,
District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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 Isuapur P.S. Case No. 127 of 2026, F.I.R dated 14.04.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, while conducting a special raid, the informant police officer received secret information that illicit liquor was being sold at Shamkaudia Market. Acting on the information, the police raided the spot and apprehended the individual, who allegedly attempted to flee on a motorcycle. Upon search, 0.72 litres of Indian Made Foreign Liquor was allegedly recovered from his possession, and the motorcycle was seized. A seizure list was prepared,



following which the individual was arrested and the present case was instituted against him.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the said motorcycle bearing registration No. BR04AM5333, which was being driven by his brother for personal purposes and said to have been apprehended with seized liquor. Presently, his brother is on bail. It has further been submitted that the petitioner has four criminal antecedents and is currently on bail in all of those cases.

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

6. Considering the aforesaid facts and circumstances that the illicit liquor has not been recovered from the constructive possession of this petitioner and the person apprehended with illicit liquor is on bail. Accordingly, this Court is inclined to grant the privilege of 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 Court of Exclusive Special Excise Court No.-3, Saran at Chapra 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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