

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48137 of 2026

Arising Out of PS. Case No.-290 Year-2024 Thana- PALASI District- Araria

Ajay Prasad Son of Late Chanchal Prasad Resident Of Village - Dharamshala
Road, Ward No 12, Ps -Kishanganj, District -Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.
For the Opposite Party/s : Mr. Ahmad Ali, 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 Palasi P.S. Case No. 290 of 2024, F.I.R dated 21.08.2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant, acting on secret information, intercepted a Maruti Suzuki car suspected of transporting illegal foreign liquor. On seeing the police, the driver attempted to flee, abandoned the vehicle near Hasanpur Chowk, and escaped. Upon searching the vehicle in the presence of independent witnesses, the police allegedly recovered 612 litres of illegal foreign liquor concealed in cartons inside the car, following which the liquor was seized and



the present case was instituted.

4. Learned counsel for the petitioner submits that the petitioner was the owner of the Maruti Suzuki four wheeler bearing registration No.WB74N0127 had sold the said vehicle approximately, five years ago, after receiving the consideration money, which fact was stated at the time of seeking anticipatory bail before the District and Additional Sessions Judge-Cum-Exclusive Special Excise Judge-II Araria and incident verifying the submissions made by this petitioner, where the details of purchaser was clearly disclosed by this petitioner, still, no such effort has been made by the Investigating Officer to verify such averments. It has further been submitted that the petitioner is nowhere connected with the seized articles and is ready to abide by the terms and conditions imposed in case of grant of anticipatory bail anticipatory bail. It has next been submitted that the Police Personnel are witness to the seizure and the petitioner has got clean antecedent.

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

6. Regard being had to the submission made by the parties, taking into consideration the fact that the petitioner has falsely been implicated in this case, also the seized article does



not belong to this petitioner and petitioner has got 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 Learned In-Charge Special Judge Excise-II, Araria in connection with Palasi P.S. Case No. 290 of 2024 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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