

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48881 of 2026

Arising Out of PS. Case No.-272 Year-2025 Thana- SHAHPUR PATORI District- Samastipur

Chhotu Kumar @ Ravi Raj Son of Ashok Prasad Ray @ Ashok Kumar R/O
Vill.- Bhaua, P.S.- Shahpur Patori, Distt.- Samastipur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN 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 a case in connection with Shahpur Patori P.S. Case No. 272 of 2025 dated 21.06.2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegations, one person carrying a bag was apprehended and was subsequently identified as Vijay Kumar. It is alleged that, upon search of the said bag, a total of 28.440 litres of illicit liquor was recovered.

4. Learned counsel for the petitioner has submitted that the petitioner was not apprehended from the spot and nothing has been recovered from his conscious possession. It has further been submitted that the name of the petitioner has transpired in this case only on the basis of the confessional statement of the co-



accused, Vijay Kumar, before the police while in police custody. It has further been submitted that the procedures prescribed under Section 105 of the B.N.S.S. have not been followed in this case. It has lastly been submitted that the petitioner is accused in one other case but not of similar nature and he is on bail in that case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the learned counsel for the parties and perused the record.

7. Considering the facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 Special Judge, Excise-II, Samstipur in connection with Shahpur Patori P.S. Case No. 272 of 2025 subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

Ankit Kumar/-

U		T	
---	--	---	--

