

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50251 of 2026

Arising Out of PS. Case No.-541 Year-2026 Thana- Excise P.S. District- Nawada

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Sagar Kumar S/o Anil Kumar Resident of Village- Govindpur, P.S.-
Govindpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 29-07-2026 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 Excise P.S. Case No. 541 of 2026 dated
28.05.2026 registered for the offenses punishable under
Sections 30(a) and 41 of the Bihar Prohibition and Excise
Act.

3. As per the allegation, one Rohit Kumar was
apprehended on a motorcycle and from the backpack which
he was carrying, altogether 18 litres of foreign liquor was
recovered. Upon inquiry, he stated that he along with the
present petitioner used to sell liquor.

4. Learned counsel for the petitioner has submitted



that petitioner has falsely been implicated in this case. It has further been submitted that the name of this petitioner has transpired in this case on the basis of confessional statement of co-accused, Rohit Kumar made before the police while in police custody. It has further been submitted that the said Rohit Kumar has enemical terms with the petitioner and out of animosity, he has named this petitioner. It has further been submitted that the procedures prescribed under Sections 103/105 of B.N.S.S. have not been followed in this case. It has further been submitted that the motorcycle in question from which the alleged recovery has been made, does not belong to the petitioner. Lastly, it has been submitted that petitioner has got no criminal antecedent.

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 Exclusive
Special Court Excise-2, Nawada, in connection with Excise
P.S. Case No. 541 of 2026, 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/-

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