

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49233 of 2026

Arising Out of PS. Case No.-100 Year-2025 Thana- KIUL District- Lakhisarai

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Lalan Kumar, S/o Upendra Modi, Resident of Village- Barare, P.S.
-Bannubagicha, District -Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-07-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Kiul P.S. Case No. 100 of 2025, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel appearing for the petitioner submits that the petitioner has been made an accused mainly on account of being the registered owner of the alleged motorcycle, which was allegedly used for transporting the seized country made Mahua liquor. It is not the case of the prosecution that more than one person was riding the motorcycle, rather, only one person was riding it at the relevant time, who was apprehended and disclosed his name as Nandan Kumar, after his apprehension, he did not disclose the name of the petitioner as being involved with him in the alleged trafficking of the liquor,



therefore, the alleged offence under the Excise Act, under which the FIR has been registered, does not even prima facie attract against the petitioner, hence, his prayer is not hit by the provisions of Section 76(2) of the Excise Act. and the petitioner has no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions as well as the facts and circumstances of this case coupled with petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Kiul P.S. Case No. 100 of 2025 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Shailendra Singh, J)

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