

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51390 of 2026

Arising Out of PS. Case No.-571 Year-2026 Thana- Excise P.S. District- Gaya

Milan Kumar Son of Late Gulab Singh Resident of Village- Kharhari, P.S.-
Muffasil, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Excise P.S. Case No. 571 of 2026, dated 24.04.2026, lodged under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Exclusive Special Judge Excise-3, Gaya ji.

3. As per the prosecution, total 300 litres of illicit liquor from three motorcycles has been recovered, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that petitioner is neither the



driver nor the owner of the alleged vehicles. He also submits that the petitioner's name was disclosed by the apprehended accused person. Furthermore, he submits that the criminal antecedent of the petitioner is not clean, as there is one criminal case pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean.

6. Considering the facts and circumstances of the present case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. Liberty is hereby granted to the petitioner that if he surrenders within six weeks, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudiced by the fact that the anticipatory bail application of the petitioner has been rejected by this Court, and the Trial Court shall pass an order on the merits of the case.

(Dr. Anshuman, J.)

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