

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50857 of 2026

Arising Out of PS. Case No.-95 Year-2026 Thana- DANAPUR District- Patna

Kapil Prasad S/o Hari Nndan Rai Resident of Village - Ramjee Chak, Yadav
Gali, Police Station - Digha, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 28-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Danapur P.S. Case No. 95 of 2026, registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. The prosecution case, in brief, of recovery of 80 litres
of country-made liquor from a tempo. The driver, namely Sipu
Kumar, tried to flee but was arrested and the vehicle was seized on
the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case
solely as the registered owner of the tempo, which he had already
sold to one Krishna Kumar. It is further submitted that no recovery
has been made from the personal possession of the petitioner, and he
has no criminal antecedent.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Having considered the submissions, particularly that the petitioner is implicated solely on the basis of ownership documents of the vehicle which was allegedly sold earlier, that he was not present on the spot, and that he has clean antecedents, let the petitioner, named above, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, be released on 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 Excise Judge, Danapur, District-Patna in connection with Danapur P.S. Case No. 95 of 2026, subject to the conditions laid down under Section 482(2) of the BNSS as well as the following conditions:

- (i) One of the bailors shall be a close family member of the petitioner.
- (ii) The petitioner shall fully cooperate with the investigation and trial of the case. Any future involvement in similar offences shall be a ground for cancellation of bail.

(Ranjan Kumar Jha, J)

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