**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.74686 of 2026**

**CNR No. BRHC011062242026**

Arising Out of PS. Case No.-51 Year-2024 Thana- LADANIA District- Madhubani

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Pancha Das Son of Kartick Das Resident of Village- Kalianai bohara barasat-I, P.S.- Dattapunkur, District- North 24 Paregana (West Bengal)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

2 04-11-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code as well as Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel appearing on behalf of the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 774 litres of liquor from a Scorpio vehicle and a motorcycle.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession

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and he came to be implicated based on the fact that he is owner of the seized Scorpio.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the pleadings made in the anticipatory bail application it would manifest that petitioner has pleaded that he is owner of the seized Scorpio vehicle, but then it is also pleaded that he has sold the vehicle to one Aktarul on 11.08.2021, but then it is submitted that if the submission of the petitioner is accepted in that event Aktarul becomes an accused, it is further submitted that there is nothing on record to even remotely suggest that the ownership of the vehicle was transferred in the name of Aktarul or forms 29 and 30 under the M.V. Act was filed, it is next submitted that Court is lenient in granting anticipatory bail and regular bail in cases relating to excise, but it might be a ploy of the petitioner to seek anticipatory bail by taking a stand that he has sold the vehicle to someone prior to occurrence, it is thus submitted that in such cases the Court should be reluctant in interfering.

6. After hearing learned counsel for the parties and taking into consideration the submission made by the learned A.P.P. for the State, the Court is not inclined to extend the

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privilege of anticipatory bail to the petitioner.

7. Hence the prayer for anticipatory bail is rejected.

**(Satyavrat Verma, J)**

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