IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76887 of 2026

CNR No. BRHC011075382026

Arising Out of PS. Case No.-1016 Year-2026 Thana- Excise P.S. District- Kishanganj

==========

Anshu Kumar son of Arun Singh R/O Sherpur, Ward No-05, P.S-Basudevpur, District-Munger 811202

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Hemant Kumar Karan, Adv.
For the Opposite Party/s : Mr. Nand Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Madya Nisedh P.S. Case No. 1016 of 2026 lodged on 16.09.2026, for the offence punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, FIR has been lodged against the sole petitioner. Total recovery of 169.890 litres of foreign liquor has been made, 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 submits that nothing has been recovered from the conscious possession

WEB COPY

of the petitioner and the alleged recovery has been made from a Car which does not belong to the petitioner and he was only driving the said vehicle. Counsel submits that the petitioner has been falsely implicated in this case. He further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him in which he is on bail. Counsel submits that the petitioner is in judicial custody since 16.09.2026.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has one criminal antecedent which is related to Excise Act.

6. As such, in the present facts and circumstances of the case, let the above-named petitioner be granted bail subject to payment of Rs. 50,000/- (Fifty Thousand) in the account of concerned Excise Court, and on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Judge, Excise-II, Kishanganj, in connection with Madya Nisedh P.S. Case No. 1016 of 2026, subject to the conditions as laid down U/s 480(3) of the B.N.S.S., 2023 with further conditions that:-

(i) one of the bailors should be the family member of

WEB COPY

the petitioner who shall provide official document to show his/her *bona fide;*

(ii) the petitioner shall appear before the Trial Court on each and every scheduled date, and failure to do so for two consecutive dates without any plausible reason/explanation shall be resulted into cancellation of his bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

Divyansh/-

U		T	

WEB COPY