IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76217 of 2026

CNR No. BRHC011088582026

Arising Out of PS. Case No.-224 Year-2026 Thana- Excise P.S. District- Nalanda

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Ajeet Kumar Son of Ayodhya Singh Resident of Village - Chhatarpur, P.S.- Noorsarai, District - Nalanda

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the State : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 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. 224 of 2026 lodged on 09/07/2026, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the Court of Special Judge Excise Court-II, Nalanda, Bihar Sharif.

3. As per the prosecution, total recovery of 40 litres of illegal liquor has been made which is the subject matter of this case.

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4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that nothing has been recovered from the conscious possession of the petitioner. Counsel further submits that save and except secret information there is no cogent evidence against the petitioner. Counsel further submits that the petitioner is neither owner nor driver of the alleged vehicle. Counsel further submits that criminal antecedent of the petitioner is not clean as there is one criminal case pending against him which is related to Excise Act in which he is on bail. Counsel further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner, and submits that criminal antecedent of the petitioner is not clean as there is one criminal case pending against him which is related to Excise Act.

6. Considering the criminal antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the present bail application is hereby rejected.

7. However, liberty is hereby granted to the petitioner

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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)

Anshuman/Mkr-

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