IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77324 of 2026

CNR No. BRHC011109212026

Arising Out of PS. Case No.-363 Year-2026 Thana- Daudnagar Excise District- Aurangabad

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Anil Kumar Son of Nandlal Mahto @ Nand Mahto Resident of village Gira, P.S.- Obra, District - Aurangabad

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Daudnagar Excise P.S. Case No. 363 of 2026, instituted for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 202.200 litre country made liquor from the outside of the house of petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the basis of suspicion and due to his two criminal antecedents, in which he is on bail. Petitioner has no concern

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with the seized liquor. The place from where the liquor was seized is an open place which is accessible to public. Petitioner was neither present on the spot nor any incriminating material has been recovered from the conscious possession of the petitioner. He undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case, submission of learned counsel for the parties and recovery has been made from an open place, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad in connection with Daudnagar Excise P.S. Case No. 363 of 2026, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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