**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.77250 of 2026**

**CNR No. BRHC011127522026**

Arising Out of PS. Case No.-245 Year-2026 Thana- KHAJAULI District- Madhubani

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Sanjeev Kumar Singh S/O Ram Sogarh Singh Resident of Village- Dullipatti, P.S. Jaynagar, District- Madhubani

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

ORAL ORDER

2 05-11-2026 Heard learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Khajauli P.S. Case No. 245 of 2026, registered for the offenses punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. In course of patrolling, on suspecting that some persons were carrying a consignment of foreign liquor, the police intercepted a Swift Dzire vehicle. However, noticing the police party, two persons who were sitting in the vehicle facilitated their escape. In course of search, a total of 129.600 liters of Indian-made foreign liquor was recovered.

4. Learned Advocate for the petitioner submitted that

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from a bare perusal of the FIR, it is evident that two persons who were sitting in the vehicle were identified as Pappu Yadav and Raju Yadav, and even the presence of the petitioner has not been suspected at the place of occurrence. In fact, only by virtue of the petitioner being the owner of the vehicle in question, his name has been implicated in this case. It is specifically argued that the vehicle was being run by Pappu Yadav, who is said to be the driver of the vehicle, for commercial purposes. However, the petitioner had never been acquainted that his vehicle has been used for any illicit purpose. The fair antecedent of the petitioner also lends support to his innocence. There are various other discrepancies while carrying out the search and seizure, inasmuch as there is no compliance of Section 103(4) and Section 105 of the BNSS, is the contention of the learned Advocate.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the huge recovery of illicit wine from the vehicle of the petitioner clearly suggests his complicity.

6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of the materials available on record, especially the fact that there is

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no other incriminating material suggesting the complicity of the petitioner in the crime save and except the petitioner is said to be owner of the vehicle, in question, from where recovery has been made, besides other discrepancies pointed out while carrying out the search and seizure, and the lack of materials which attract the rigours to maintain the anticipatory bail, besides the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court 1st, Madhubani in connection with Khajauli P.S. Case No. 245 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

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