IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79887 of 2026

CNR No. BRHC011168152026

Arising Out of PS. Case No.-293 Year-2026 Thana- ISUAPUR District- Saran

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Rana Kumar S/o Ayodhya Ram R/o Village - Murawa Araji, Police Station - Isuapur, District - Saran, Chapra.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Isuapur P.S. Case No. 293 of 2026 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 12 liters illicit country made liquor from Silkohiya Chawar near Palm tree.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He has falsely been implicated in the present case. Learned counsel

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for the petitioner further submits that the name of the petitioner has surfaced on account of taking of name by the local Chowkidar and nothing was recovered from the conscious physical possession of the petitioner. Learned counsel for the petitioner submits that recovery has been made from an open place near the palm tree and the witnesses who have signed the search and seizure memo are police personnel who are member of the raiding team.

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

6. From the reading of the FIR it appears that the name of the petitioner has surfaced on account of taking of name by the local Chowkidar. Nothing was recovered from the conscious physical possession of the petitioner. Recovery has been made from an open place near the Palm tree and not from the dwelling of the petitioner. The two witnesses who have signed the search and seizure memo are police personnel who are member of the raiding team and therefore it has not been signed by independent witnesses.

7. Under these circumstance, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

8. Let the petitioner, named above, in the event of his

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arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Third Exclusive Special Excise Judge, Saran at Chapra in connection with Isuapur P.S. Case No. 293 of 2026, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

Prakash Narayan

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