IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80689 of 2026

CNR No. BRHC011176252026

Arising Out of PS. Case No.-112 Year-2026 Thana- KAUWAKOL District- Nawada

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Vinod Saw S/o Hira Lal Saw R/o Village - Lohiyatad (Rajokhar), P.S - Ganwan, District - Giridih (Jharkhand)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sheo Nandan Prasad, Adv.
For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kawakol P.S. Case No. 112 of 2026, F.I.R dated 23.02.2026 registered for the offences punishable under Sections 111(2), 315, 318(3), 318(4), 338, 336(3), 3(5) and 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. According to prosecution case, the informant police party, acting on secret information that a tempo was carrying country-made liquor from Mahuliyatand to Kawakol, proceeded to verify the same. Vinod Saw and Ravi Saw were allegedly acting as liners for the tempo. Upon seeing the police party, two persons sitting in the tempo attempted to flee, out of whom one,

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namely, Pachu Kumar @ Bhikhan Rai, was apprehended, while the other, namely, Mohan Marandi, managed to escape. Thereafter, the police searched the tempo bearing Registration No. JH11W9591 and seized 600 litres of country-made liquor. A seizure list was prepared in the presence of two official witnesses.

4. Learned counsel for the petitioner submits that the recovery is made from the Bajaj Maxima bearing Registration No. JH11W9591, from where 600 litres of country-made liquor is said to have been recovered, while the allegation as per the F.I.R. against this petitioner is that the petitioner was assisting in the transportation of such illicit liquor. It has next been submitted that the petitioner has one antecedent in which he is on bail and, without there being any connection with the said Bajaj Maxima or the seized liquor, the petitioner is being implicated in the instant case. However, the petitioner is ready to co-operate with the investigation.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, particularly the fact that the alleged recovery of 600 litres of country-made liquor has been made from the Bajaj Maxima

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bearing Registration No. JH11W9591, and the allegation against the petitioner is limited to assisting in the transportation of the said illicit liquor, without any specific material indicating his connection with the vehicle or the seized liquor, coupled with the submission that the petitioner is already on bail in the antecedent case and is ready to co-operate with the investigation, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of four weeks from the date of receipt of the order, 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 Exclusive Special Excise Court-2, Nawada, in connection with Kawakol P.S. Case No. 112 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to

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show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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