

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4159 of 2026

Arising Out of PS. Case No.-383 Year-2025 Thana- PURNEA SADAR District- Purnia

=====

Bishal Kumar Das Son of Swarupam Kumar Das @ Swarupam Das Resident
of Village - Khamrua, Police Station - Itahar, District - Uttar Dinajpur(West
Bengal).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Sadar P.S. Case no. 383 of 2025 instituted for
the offence under Sections 111 (I) (ii), 338, 336 (3) of the BNS,
2023 and Sections 30 (a), 36 and 41 (2) of the Bihar Prohibition
and Excise Act.

3. The case of the prosecution is that from the
commercial vehicle of this petitioner, altogether 4089.06 liters
of country made liquor was recovered.

4. Learned counsel for the petitioner has submitted
that petitioner is innocent and has falsely been implicated in



connection with the present case. It is further submitted that the vehicle, in question, was being driven by one Bhavishya Kumar Yadav. It is further submitted that from perusal of the FIR, it would transpire that the said Bhavishya Kumar Yadav has disclosed the name of his associate, however, so far as the present petitioner is concerned, it has merely been stated that he is the owner of the said vehicle. It is further submitted that Bhavishya Kumar Yadav was the driver of the vehicle and nothing has been recovered from his possession. It is further submitted that the petitioner has been implicated in this case only because he is the owner of the vehicle.

5. Learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sadar P.S. Case no. 383 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Court



No. 01, Purnea, subject to the conditions as laid down under
section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

Jagdish/-

U		T	
---	--	---	--

