

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Anticipatory Bail Application No. 481/2026

Aman Thakur @ Aman Kumar Versus State of Bihar

A N D

Anticipatory Bail Application No. 606/2026

Sahil Kumar Vs. The State of Bihar

Mojahidpur P.S. Case No. 29/2026

Counsel for the Petitioners : - Sri Sridhar Kumar Verma, Advocate.
: - Sri Kaushalendra Nath Sahay, Advocate.
For the State : - Sri Sridhar Singh, Special Public Prosecutor.

Date of Order	Order with Signature of the Court
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15-04-2026	1. A.B.P. No. 481/2026 has been filed on behalf of accused/petitioner, Aman Thakur @ Aman Kumar and A.B.P. No. 606/2026 has been filed on behalf of accused/petitioner, Sahil Kumar, under Section 482 B.N.S.S., seeking pre-arrest bail. Both anticipatory bail applications arise out of the same case i.e. Mojahidpur P.S. Case No. 29/2026, instituted for offences u/s 30(a) Excise Act & 8(c), 21(b), 22 Narcotic Drugs and Psychotropic Substances Act, 1985. Since, both aforesaid anticipatory bail applications arise out of same case, hence, both have been taken up together for hearing & disposal by a common order. 2. Heard Sri Sridhar Kumar Verma and Sri Kaushalendra Nath Sahay, learned counsels for the petitioners and Sri Sridhar Singh, learned Special Public Prosecutor for the State. 3. The prosecution case as stated in the First Information Report is that on 24-02-2026 at 22.10 hours, the informant, Inspector -cum- S.H.O. Dharendra Yadav of Mojahidpur P.S. received secret information that illegal Wine are kept at the resident of one Bodh Ram situated at Sikandarpur for the purpose of illegal business, on which for verification and necessary action he along with other police personnel proceeded and when reached at the residence of Bodh Ram and raided the house, a person who was carrying a bag in his hand went at the roof and started fleeing. It is alleged that having seen the police force he threw the bag which he was carrying in the another house which situates by the side of his house. The person was apprehended with the help of police force and also

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recovered the bag which he threw away. On interrogation, the apprehended person disclosed his name as Samir Anand, who reside as renter in the house of one Rajeev Ranjan Sinha. Thereafter, the bag was searched and in course of search two bottles each containing 750 ml of liquor on which Iconiq White Elite International Grain Whisky Batch No. 071/L2 NoV. 25 Blended And Bottled by Ankor Bio Chem Pvt. Ltd./Tituliya More Vill. + P.O. - Dhubvi Lakhiyabad Bridge, P.S Nirsh, Dhanbad – 82820J, Jharkand and Imperial Blue Blended Grain Whisky Batch No. - 0021 Dt -13/11/2025, one bottle containing 375 ml of Royal Stag Delux Whisky Batch No. 0140 dated 24-01-2026 was written, were recovered. It is further alleged that about 100 gm brown coloured substance which was kept in a box as well as a mobile phone were also recovered. Upon being asked, the apprehended person disclosed that the recovered Brown coloured material is the Brown-sugar and Aman Thakur and Sahil Kumar are his partner who used to purchase the recovered Wine and Brown-sugar and after that the same was kept in the house of Chhotu Kumar wherefrom after packing, the same was used to supply He also disclosed that his duty is to receive money from the customers and one Munna used to deliver it to the customers. Accordingly, the recovered Wine, Brown-sugar and Mobile Phone were seized as per seizure list. The apprehended accused person was formally being arrested and he was remanded to judicial custody and on the basis of self-statement of informant, the present case has been instituted.

4. The learned counsels for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Entire allegation against the petitioners is false and concocted. It has further been submitted that neither the petitioners were arrested on spot nor any incriminating material has been recovered from their possession but the apprehended co-accused Samir Anand disclosed the names of petitioner in his confessional statement before police. The learned counsels submitted that petitioner Aman Thakur @ Aman Kumar of A.B.P. No. 481/26 is student whereas petitioner Sahil Kumar is a teacher and petitioner Aman Thakur @ Aman Kumar is residing in the same Mohalla where the apprehended co-accused is residing. It has further been submitted that both petitioners bear clean antecedent. The learned counsels of both petitioners submitted that save and

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except the confessional statement of co-accused before police, there is nothing in the entire case diary to connect the complicity of the petitioners in alleged occurrence. Moreover, the confessional statement of co-accused before police has got no evidentiary value in the eye of law. Further, there is violation of section 50 of N.D.P.S. Act which demolish the entire prosecution case. On these grounds prayer has been made to grant anticipatory bail to the petitioners.

5. On the other hand, learned Public Prosecutor vehemently opposed the prayer for grant of anticipatory bail to the petitioners on the ground that both the petitioners are named in the F.I.R. and there is specific allegation against them that they are engaged in illegal business of Wine and Brown-sugar with co-accused Samir Anand who was arrested and from whose possession Wine and Brown-sugar were recovered. He further submits that the quantity of recovery of Brown-sugar comes in the category of intermediate quantity. He further submits that the materials so far collected during investigation suggests the involvement of petitioners in the alleged occurrence. The investigation of the case is still going on and hence the petitioners do not deserve anticipatory bail.
6. Perused the case record as well as case diary. It appears that in course of investigation the I.O. has mentioned the contents of confessional statement of co-accused Samir Anand at para 3 of the case diary and from perusal whereof it transpires that the co-accused Samir Anand reiterated the same version which he disclosed before police at the time of arrest and recovery of contraband materials and also disclosed the names of these petitioners as his partner. At para 4 of the case diary the restatement of informant has been recorded whereas at para 5, 6, 7, 8, 9, 10 and 17 of the case diary statements of other witnesses have been mentioned in which the witnesses have supported the prosecution case and the fact of recovery of contraband substance from a bag which was carried by co-accused Samir Anand. As per para 45 of the case diary, the petitioners bear clean antecedent. Investigation of the case is still going on.
7. After having gone through the documents & the materials available on record, this court finds that the accused-petitioners are named in the FIR. Further, it appears that on secret information the police arrested the co-accused Samir Anand from whose possession three bottles of Wine and 100 gm of Brown-sugar were recovered disclosed that he along with other co-accused persons

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including the petitioners are engaged in illegal business of Wine and Brown-sugar. In this case as per allegation and the materials, the accused petitioners were jointly dealing with illegal supply of liquor as well as Brown-sugar. During course of investigation the witnesses have fully supported the prosecution case as well as the fact of recovery of three bottles of liquor as well as 100 gm of Brown-sugar from a bag which was carried by the apprehend co-accused Samir Anand. The materials so far collected during investigation suggests the involvement of petitioners in the alleged occurrence. The investigation of the case is still going on.

8. Therefore, considering the aforesaid fact, as discussed above and considering upon the nature and seriousness of allegation and its impact on the society as well as the fact that investigation of this case is still going on and these are the anticipatory bail applications, hence, this court is not inclined to grant anticipatory bail to the petitioners. **Accordingly, the aforesaid two Anticipatory Bail Applications of both petitioners are hereby rejected.**
9. Accordingly, both the anticipatory bail petitions stands disposed of.

Sd/-
(Dipankar Pandey)
Principal Sessions Judge.