

In the Court of P.O. Exclusive Spl. Excise Court-I, Supaul
Jadia P.S Case No. 44/2026
State vs. Sunil Kumar

Anticipatory Bail Application No. 567/2026

Ld. Counsel for defence- Shri Om Prakash Ambedkar, Ld. Adv.
Ld. Counsel for Prosecution- Shri Binay Bhushan Singh, Ld. Spl. P.P.

Date	Order with signature of the Judge	Remarks
28.04.2026	The present Anticipatory Bail Application has been filed by the applicant-accused Sunil Kumar who has apprehension of arrest in a case Jadia P. S. Case No. 44/2026 registered under section 30(a) Bihar Prohibition and Excise Act. Ld. Counsel for defence has pressed the bail petition and submitted that the applicant-accused is innocent and has committed no offence. The applicant-accused has not filed any bail application in any court apart from this court. The instant case is totally false, fabricated and concocted. There is no recovery of liquor from the possession of the petitioner. The applicant-accused is not indulged in liquor business. There is one criminal antecedent which is Jadia P.S. Case No. 170/2023 against the applicant-accused. It is, therefore, prayed by Ld. Counsel for defence to release the applicant accused on bail. Ld. Spl. P.P has vehemently opposed the bail petition and prayed to reject the bail petition. The prosecution story in brief is that the informant Nand Kishor	Cont ^d

<u>Cont^d....</u> 28.04.2026	Nandan S.I., received a secret information on 21.03.2026 that 1. Sunil Kumar and 2. Mithilesh Kumar both were going to deliver liquor by bringing illegal foreign liquor and keeping it in the maize and bush field about 100 meters east of the Sahdev Yadav. After informing the senior officials, he left along with police forces at 12:10 O' clock. At 12:25 O' clock, when he reached near the house of Ravindra Yadav, he saw that 3-4 persons left a motorcycle bearing Reg. No. BR50H5519, Engine No. CE6FH2025517 and Chassis No. MD634CE6H2F25000 and started running on seeing the police forces. An attempt was made to catch them, but they managed to escape by taking the advantage of maize field. The local chowkidaar revealed the name of the escaped persons as 1. Sunil Kumar and 2. Mithilesh Kumar. After that they reached the maize and bushes field of Sahdev Yadav about 100 meters east from the house of Ravindra Yadav and started searching for independent witness. As it was deserted area, no one was present there. After that 1. Chowkidaar 1/11 Md. Nawab Alam and 2. Chowkidaar 2/6 Anmol Paswan of the raiding party, were made seizure-list witnesses. After giving his Jama-Talashi and his team, they started searching. During search, 10 cartoons of foriegn liquor recovered from 5 White coloured plastic sacks from which 1. 90 bottles of Royal Stag, 750 ml each contained in 8 cartoons, 2. 84 bottles of Royal Stag, 180 ml each contained in 2 cartoons, total 82.620 litre liquor was recovered from the bushes field inside the pit of Sahdev Yadav. Thereafter, the motorcycle and recovered liquor were seized and a seizure-list was prepared. Heard both the parties and carefully perused the case record. On perusal it transpires that the applicant-accused is named in the FIR, who fled away from the place of occurrence on seeing the police	
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<u>Cont^d....</u> 28.04.2026	forces. According to the FIR there is an allegation of recovery of 82.620 litre Foreign liquor of the applicant-accused. Therefore, the provisions of Bihar Prohibition and Excise Act 2016 are attracted against the applicant-accused. The case is still under investigation. In these facts and circumstances, this court is not inclined to give privilege of anticipatory bail to the applicant-accused. Accordingly, the anticipatory bail application of the applicant-accused Sunil Kumar is hereby rejected. Dictated Sd/- Abhishek Kumar Mishra P.O.,Exclusive Spl. Excise Court-I, Supaul	Cont ^d
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