

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58793 of 2024

Arising Out of PS. Case No.-79 Year-2021 Thana- BISHUNPUR District- Darbhanga

Mehu Kumar @ Meghu Kumar Son of Pramod Sahni Resident of Village -
Tira Jathmalpur, P.S.- Kalyanpur, District - Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-09-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Bishanpur PS case no. 79 of 2021, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. The prosecution story, as per the First Information
Report, is that police intercepted two motorcycles, recovered
total 17.430 liters of illicit liquor and arrested two accused
persons who were travelling on the motorcycles. On inquiry,
they told that the liquor, they were carrying, was given by one
Vinay Kumar for delivering it to the petitioner. On their
disclosure, a raid was conducted at the shop of co-accused



Ashok Sahni, from where, 8.250 liters of illicit liquor was recovered. Co-accused Ashok Sahni was arrested and upon enquiry, he also told that the liquor was to be delivered to the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused on the basis of disclosure of his name by the arrested co-accused. He also submits that no illicit liquor has been recovered either from the possession of the petitioner or from his premises. Petitioner is having no criminal antecedent of similar nature of offence.

5. Regard being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent of similar nature of offence under Excise Act and his name has been disclosed by the arrested co-accused, from whose possession, illicit liquor has been recovered, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Exclusive Special Judge-I, Excise,
Darbhanga in connection with Bishanpur PS case no. 79 of
2021, subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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