

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63488 of 2024

Arising Out of PS. Case No.-14 Year-2022 Thana- PANAPUR District- Saran

Sanjay kumar @ Sanjay kumar Yadav @ Sanjay Kr. Yadav Son of Raghubir
Rai Resident of Village -Lachhua, P.S.- Basantpur , District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar, Advocate

For the Opposite Party/s : Mrs.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Panapur P.S. Case No. 14 of 2022 registered for the offences punishable under Sections 30/30(a)/38/41 of the Bihar Excise & Prohibition (Amendment) Act, 2018. He has no criminal antecedent as stated in paragraph '3' of the application.

3. The allegation against the petitioner is to have in possession of 1200 litres of country made liquor/spirit and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that the alleged country made liquor



was recovered from Diyara, which is an open place and not from physical possession of this petitioner. Learned counsel submitted that during course of investigation, it was found that the vehicle, which was found on spot i.e. BR04D-5695, was initially suspected to belongs to petitioner but subsequently it was found in name of one Krishna Kumar Singh. It is submitted that all such facts sufficient to constitute that recovery of illicit liquor not appears to be made from physical possession of this petitioner. Petitioner is a man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions as recovery of illicit liquor not appears to be made from physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-



Exclusive Special Judge, Excise Act, Chapra, Saran
/concerned court in connection with Panapur P.S. Case No.
14 of 2022, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

Rajeev/-

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