

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81329 of 2024

Arising Out of PS. Case No.-255 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

-
1. Sanjeet Kumar Son of Hari Krishana Singh Village- Kon Bajitpur, P.S.-
Karpurigram, District- Samastipur
 2. Prem Shankar Son of Ram Vinod Thakur Village- Kon Bajitpur, P.S.-
Karpurigram, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2024 1. Heard learned Counsel for the petitioners and
learned APP for the State.

2. This application, for grant of anticipatory bail,
arises out of Samastipur Mufassil PS case no. 255 of 2022,
disclosing offences punishable under Sections 30(a), 41(1),
41(2) of Bihar Prohibition and Excise (Amendment) Act.

3. The prosecution story, as per the First Information
report, is that total 105 liters of illicit liquor have been recovered
from two motorcycles near the bank of river.

4. Learned Counsel for the petitioners submits that the
petitioners have falsely been implicated in this case and they
have not committed any offence in the manner alleged. He
further submits that petitioner no. 1 is the owner of Hero H.F.



Delux motorcycle and petitioner no. 2 is the owner of Bajaj Discover motorcycle and they were not aware about the articles being carried on the said vehicles. He also submits that illicit liquor has been recovered from river bank, accessible to everyone. Petitioners are having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from an open space and not from the conscious possession of the petitioners, 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, Excise-I, Samastipur in connection with Samastipur Mufassil PS case no. 255 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

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

