

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5921 of 2025

Arising Out of PS. Case No.-484 Year-2024 Thana- BUXAR District- Buxar

Luv Kumar Singh @ Amrendra Kumar Singh, Son of Vinay Singh @ Vinay
Kumar Singh, resident of village-Babura, P.S.- Barhara, Dist- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Buxar (Town) P.S.
Case No.484 of 2024 registered under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 266.08 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
petitioner that on the basis of disclosure made by co-accused
Santosh Kumar, this petitioner was implicated with present



case. It is submitted that the petitioner is neither connected with alleged illicit liquor nor the seized vehicle found carrying said liquor. It is pointed out that save and except suspicion, nothing survives against this petitioner and admittedly recovery of illicit liquor was not made from physical possession of this petitioner. While concluding argument, it is submitted that petitioner found involved in two more criminal cases as per para-3 of the petition, where in one case, he has acquitted and in another case, he is on bail, which are of different nature.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of disclosure made by co-accused, Santosh Kumar, nothing *prima facie* appears incriminating against this petitioner, where admittedly recovery of illicit liquor not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail



bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1st, Buxar in connection with Buxar (Town) P.S. Case No.484 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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