

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3180 of 2025

Arising Out of PS. Case No.-259 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Shivshankar Das Son of Madan Das village - Harpur Kala, Math Tola Ward
NO - 06 ,P. S - Majorganj , District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-02-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Majorganj P.S. Case No.259 of 2024, disclosing
offences under Section 317 (5) of the B.N.S. and Section 30(a)
of the Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution story, the police received
secret information that liquor trader Mukesh Patel was trying to
send illicit liquor via an E-rickshaw from bamboo clumps
situated near a bridge in village Dumri-Harpur Road. The
informant along with police force reached there and on seeing
the police, two persons tried to flee away, however, were
apprehended on the spot, while some persons succeeded in
feeling away. The apprehended persons disclosed the names of



the persons who fled away from the spot. On search, the police recovered 60 liters of Nepali Saufi liquor from e-rickshaw.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case on the basis of disclosure made by arrested co-accused persons. He further submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or vehicle belonging to him.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioner and/or vehicle belonging to him and his name has been disclosed by the arrested co-accused persons, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four 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 Excise Court-I, Sitamarhi, in connection with Majorganj P.S. Case No.259 of



2024, subject to the condition laid down under Section 438(2) of
the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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