

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5992 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- CHACKMEHSI District- Samastipur

Sumit Kumar S/O Raj Kumar Mahto R/O Village- Hariharpur, Ward No.-01,
P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate
For the State : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 375 ml illicit foreign liquor has been recovered from pocket of co-accused Ashok Kumar who disclosed the name of this petitioner as one of his associates.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on the basis of confessional statement of co-accused person. Petitioner claims



clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of accusation, the fact that no incriminating article has been recovered from possession of this petitioner and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 First, Samastipur in connection with Chakmaheshi P.S. Case No. 130 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

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