

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7412 of 2025

Arising Out of PS. Case No.-350 Year-2024 Thana- Excise P.S. District- Araria

Sonu Kumar Son of Kamal Sah village- Sangram tola, Ward no. 9, Ps-
forbesganj, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Raj
For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-03-2025 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 Prohibition and Excise Araria Police Station Case No. 350 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.
3. As per the prosecution case, on 09.11.2024, the police received secret information that Sushil Kumar was transporting illicit liquor in a white Maruti Suzuki Swift Dzire. Upon such information, they intercepted the car near Tower Chowk, Manikpur, and identified the driver as Sushil Kumar Sah. A search of the vehicle led to the recovery of three 375 ml bottles (totaling 1125 ml) of McDowell's No.1 Luxury whisky. A seizure list was prepared in the presence of police officers,



and Sushil Kumar Sah was taken into custody.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case only because of having malice intention of the informant party towards the petitioner. Petitioner is not named in the FIR. Nothing has been recovered from the conscious possession of the petitioner. He has been made accused merely on the basis of his being the registered owner of the seized vehicle from where the illicit liquor has been recovered. Petitioner gave the vehicle to his brother, who is the arrested co-accused namely Sushil Kumar, for his personal use.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and he has been made accused on the basis of his being the registered owner of the seized vehicle which he had given to his brother for his personal use, 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 Additional Sessions Judge-cum-Exclusive Special Excise Judge-II, Araria, in connection with Prohibition and Excise Araria Police Station Case No. 350 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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