

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7242 of 2025

Arising Out of PS. Case No.-242 Year-2024 Thana- GWALPARA District- Madhepura

Santosh Kumar @ Santosh Kumar Mehta @ Santosh Mehta Son of
Harinandan Mehta Resident of Village- Shyam Ward No.13, P.S. - Gwalpara,
District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Bishweshwar Ram

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 Gwalpara Police Station Case No. 242 of 2024,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 18.11.2024, the
police got the secret information that one Amar Chand Kumar
was selling liquor in his shop near Bajrangbali Mandir Gali. On
this information, police arrived at the place of occurrence and
saw that one person was fleeing away but was apprehended and
upon search, 45.99 liters of country made liquor was recovered
from the shop of the arrested accused person. The arrested



accused person disclosed the name of the petitioner and told that liquor has been brought from this petitioner for selling.

4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and he has been made accused on the basis of disclosure of his name by the arrested co-accused from whose shop liquor has been recovered. Illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner.

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 liquor has been recovered from the shop of the arrested co-accused Amar Chand Kumar, 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-V-Cum-Special Judge Excise-I, Madhepura, in connection with Gwalpara Police Station Case No. 242 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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