

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9232 of 2025

Arising Out of PS. Case No.-67 Year-2024 Thana- Aunsi District- Madhubani

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Anil Sahu @ Anil Kumar Sah @ Anil Sah @ Anil Saw Son of Late Sakal Sah
Resident of Village- Basauli, P.S.- Rahika, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s: Mrs. Rina Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Ex-cise Act, 2018.

3. The prosecution story in the first information report is that the informant had received a secret information that the accused persons of this case were engaged in transportation of illicit liquor from Delhi to Madhubni. While they were bringing the same on a bus, the driver, Md. Nadim and one Rohit Kumar, who is the son of the owner of the bus, were apprehended. The seizure list would go to show that total 102.300 liters of illicit liquor is said to have been recovered from the bus.

4. Learned counsel for the petitioner submits that the



petitioner is neither the owner nor the driver or khalasi of the bus. No recovery has been made from the physical or conscious possession of the petitioner. The petitioner has been made accused in this case only on the basis of suspicion. He has nothing to do either with the seized bus or with the seized liquor.

5. Learned APP for the State opposed the prayer for anticipatory bail on the ground that the petitioner has two criminal antecedents of the similar nature of the offence, to which learned counsel for the petitioner responds that the petitioner has already been granted bail in both the cases.

6. Considering the abovementioned facts and circumstances, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Court below where the case is pending/successor Court in connection with Auansi P.S. Case No.67 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that:-

(i) The petitioner shall cooperate in the



investigation/trial.

(ii) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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