

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10377 of 2025

Arising Out of PS. Case No.-254 Year-2024 Thana- LADANIA District- Madhubani

Krishna Kumar Das Son of Bouri Das Resident of Village - Andipatti, P.S -
Raj Nagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 07-05-2025 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, there is a total recovery of 360 liters of Nepali liquor made from one motorcycle bearing Registration Number BR-32M-1462 and three cycles and the persons riding the same attempted to flee from the place of occurrence but one person got apprehended at the place of occurrence whereas others succeeded in fleeing away.

4. Learned counsel for the petitioner submits that the



name of the petitioner has surfaced in this case on account of the fact that the seized motorcycle belongs to the petitioner. However, it has been submitted that the said motorcycle had been stolen by some unknown criminals and with regard to the same, Sanha was given to the SHO, Jaynagar Police Station. The mandatory provisions of the search and seizure list has also not been followed as there is no independent witness to the said seizure list.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Taking into consideration that there is no criminal antecedent of the petitioner, 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 Court of Additional Sessions Judge-II-cum-Special Judge, Excise Act, in connection with Ladaniya P.S. Case No.254 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and and subject to the further condition that:-

(i) the petitioner shall co-operate in the



investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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