

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11199 of 2025

Arising Out of PS. Case No.-441 Year-2024 Thana- Excise P.S. District- Rohtas

Pradeep Kushwaha @ Pradeep Kumar, Son of Jogendra Singh @ Yogendra Singh R/o - Bikram Bigha, Ward No.10, P.S - Tilauthu, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Excise Sasaram P.S. Case No.441 of 2024 (Excise Case No.1207 of 2024) registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. A perusal of the First Information Report and the seizure list would reveal that the police recovered 300 liters of illicit country made liquor from a Maruti Suzuki Car bearing Reg. No.WB06-6721 and it has been alleged that the petitioner managed to flee away from the alleged spot.

4. Learned counsel for the petitioner submits that the story as disclosed in the First Information Report itself does not seem plausible inasmuch as the petitioner was the only person



who has been made accused in the case and despite the entire police party being there, he could not be apprehended and he managed to flee away. The fact of the matter is that since the petitioner has earlier also been made accused in two other cases of similar nature, it is for this reason that he has again been implicated in a case where liquor has been found from an abandoned car.

5. The petitioner further submits and has made specific averment in paragraph '10' and '11' of his petition that the petitioner has got no concern with the alleged occurrence or seized Maruti Suzuki Car. It has also been stated that the petitioner is neither the owner nor the driver of the said car which was seized at the place of occurrence.

6. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Let the petitioner above-named, in case of his arrest/surrender within a period of four weeks from today, 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 Court No.1, Rohtas at Sasaram in connection with Excise Sasaram P.S. Case No.441 of 2024 (Excise Case No.1207 of 2024), subject to the conditions as laid



down under Section 438(2) of the Cr.P.C. and subject to the further condition that:-

(i) One of the bailors shall be the family member/relative of the petitioner and petitioner shall cooperate in course of investigation/trial.

(ii) The Court below shall verify the criminal antecedent of the petitioner before releasing him on bail and if, it is found that the petitioner is involved in any other cases, his bail bond shall not be accepted by the learned court below.

(Soni Shrivastava, J)

arvind/-

U		T	
---	--	---	--

