

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9846 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- Telta District- Katihar

Shivam Kumar S/o- Vishwanath Thakur Resident of Bishanpur, Baudevar,
Ward No.39, P.S and Disrict-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the State : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2025 Heard learned counsels for the parties.

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

3. As per prosecution case, 167.16 litres illicit liquor has been recovered from a parked car and petitioner is alleged to be driver of the car.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has got no concern with the alleged recovery or the car in question and he has falsely been implicated in this case merely on suspicion. No incriminating material has been recovered from the conscious possession of this petitioner. Petitioner claims clean antecedents.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 Additional Sessions Judge-cum-Exclusive Special Judge Excise Court No. 1, Katihar in connection with Telta P.S. Case No. 42 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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