

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12045 of 2025

Arising Out of PS. Case No.-493 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Sappu Kumar S/o Bhola Bind @ Bhola Prasad R/o vill - Balipur, P.S.- Kudra,
Distt.- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-05-2025 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 Excise (Amendment) Act, 2022.

3. A perusal of the first information report and the seizure list would go to show that a total 17 liters of Mahua liquor and several utensils and articles of brewing liquor has been recovered from the bank of the river. There is further allegation that some accused persons managed to flee away from the place of occurrence after the seeing the police party.

4. Learned counsel for the petitioner submits that the name of the petitioner has been surfaced in this case upon suspicion and upon wrong identification made by the village



Chaukidar. The place of recovery is an open place and easily accessible to anyone, hence no liability can be fastened on the petitioner. It is also a fact that the petitioner was not caught on the spot and nothing has been recovered from his physical or conscious possession.

5. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioner has no criminal antecedent, 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 Kudra P.S. Case No.493 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 the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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