

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10701 of 2025

Arising Out of PS. Case No.-207 Year-2024 Thana- BARGAINIA District- Sitamarhi

Rohit Kumar S/o Shivraj Mukhiya R/o Village - Masaha Alam, Ward No. 03,
P.S.- Bairgania, District- Sitamarhi- 843313

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 19-02-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Bairagania PS case no. 207 of 2024, disclosing offences punishable under Section 30(a)(c) of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information report, is that on 25.08.2024, while on patrolling, the police party got secret information that 6-7 persons were coming on bicycle carrying liquor on it and after seeing police party, they started running away. However, three persons were apprehended and they disclosed the name of the petitioner and others, who succeeded in fleeing away. Total 652.2 liters of illicit Nepali Relax Saufi liquor was recovered from the possession of



arrested persons.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure made by the arrested accused persons. He has not committed any offence in the manner alleged. He further submits that the bicycle from where illicit liquor has been recovered does not belong to the petitioner, as stated in paragraph no. 10 of this application.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is not the owner of the bicycle in question from where the illicit liquor has been recovered and his name transpired on the basis of disclosure made by the arrested accused persons, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Exclusive Special Excise Court No. 1, Sitamarhi in connection with Bairagania PS case no. 207



of 2024, subject to the condition laid down under Section 438
(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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