

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11056 of 2025

Arising Out of PS. Case No.-493 Year-2024 Thana- SARAIYA District- Muzaffarpur

Avinash Kumar @ Abhinash Kumar Son of Late Ashok Ray Resident of Vill-
Jhansi Chhapra, Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Kahkashan Alam, Advocate
For the State	:	Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 32(2), 32(3), 36, 41(1) and 41(2) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, 250.56 litres illicit foreign liquor was recovered from a Tata vehicle.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on suspicion. Petitioner is neither owner nor driver and he has got no connection with the vehicle in question. Petitioner has got no criminal antecedents of similar



nature.

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

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this 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 Exclusive Special Judge Excise Court No. II, Muzaffarpur in connection with Saraiya P.S. Case No. 493 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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