

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17057 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- Bypass District- Bhagalpur

Mohit Kumar Son of Birendra Singh Resident of Village - Morasia, P.O. -
Baligaon, P.S. - Piyar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra Ojha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Bypass P.S. Case No. 15 of 2024, registered on 24.03.2024, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 192.42 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner has no criminal antecedents and nothing has been recovered from his possession. It is also submitted that the petitioner's name has been implicated in this case solely on the basis of the confessional statement of the co-accused. Counsel further submits that the recovery in question has been made from a vehicle registered in the name of the



petitioner, however, the petitioner had already sold the said vehicle to another person, and in support thereof, he has annexed the sale letter as Annexure P/2.

5. Learned A.P.P. for the State opposes the prayer for bail, but fairly submits that the sale document has been prepared.

6. It transpires to this Court that, in relation to the said transaction, the petitioner has already executed a sale letter dated 11.03.2024 regarding the sale of his vehicle.

7. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-cum- Exclusive Special Excise Judge- 01, Bhagalpur, in connection with Bypass P.S. Case No. 15 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

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