

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11843 of 2025

Arising Out of PS. Case No.-205 Year-2020 Thana- WARISNAGAR District- Samastipur

Ajeet Kumar @ Ajit Kumar Son of Mithlesh Ray @ Mithilesh Kumar Rai @
Mithlesh Kumar Rai Village- Muktapur, Police Station- Kalyanpur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Adv.
For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection
with Warisnagar P.S. Case No. 205 of 2020 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2016.

3. As per prosecution case, there is alleged
recovery of 207 liters illicit liquor from the Maruti Alto 800 car
in question. Apprehended accused Raja Babu and Prabhat
Kumar Persun disclosed the name of the petitioner who is said
to have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged



in the first information report and he has been falsely implicated in this case. Petitioner is neither owner nor driver of the Maruti Alto 800 car in question. He further submits that except disclosure of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner bears criminal antecedent of two cases in which he is already on bail. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Excise-II, Samastipur in connection with Warisnagar P.S. Case No. 205 of



2020, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

mcverma/-

U		T	
---	--	---	--

