

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13855 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- Sri Nagar District- Purnia

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Anand Sharma @ Anand Kumar Sharma Son of Shiv Narayan Sharma @
Mangan Sharma Resident of Village-Jageli, Ward No-11, Police Station-Sri
Nagar,. District-Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha, Adv

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. From perusal of the First Information Report and the seizure list, it would appear that a total recovery of 17.15 liters of foreign liquor was recovered from a dickey of the motorcycle while the person riding the same managed to escape.

4. Learned counsel for the petitioner submits that the he is not the owner of the seized motorcycle and he has no concerned with the said motorcycle and no recovery has been made from the physical and conscious possession of the



petitioner. The seizure list was not signed by the independent witnesses.

5. Learned APP for the State opposes the prayer for anticipatory bail application on the ground that the petitioner has three criminal antecedent of the same nature, in response to which the learned counsel for the petitioner has submitted that he is on bail in all the said cases.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four 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 Exclusive Special Judge, Excise, Purnea in connection with Sri Nagar P.S. Case No.01 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and subject to the further condition that:-

(i) The petitioner shall co-operate in the investigation/trial.

(ii) One of the bailors shall be a family member/close relative of the petitioner.

(iii) The learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that



the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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