

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23720 of 2025

Arising Out of PS. Case No.-569 Year-2024 Thana- GARDANIBAG District- Patna

Lucky Kumar S/o Arvind Sharma @ Arvind Kumar R/o Village- Kasim Chak,
PS- Dulhin Bazar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Deepti Pandey, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner apprehends his arrest in connection with
Special Case No. 1473 of 2024 arising out of Gardanibagh P.S.
Case No. 569/2024 registered for the offence under Sections
30(a), 37 of Excise Act, Sections 4, 5 and 6 of Explosive
Substance Act and Sections 3, 4 of Public Gambling Act.

3. The prosecution case, in brief, is that the informant-
Raju Kumar (A.S.I.) currently posted at Gardanibagh Police
Station raided a Hotel Arsh where a person namely Abhishek
Kumar was arrested in a drunken condition with 50 ml of liquor
and a vehicle was also seized with fire crackers kept inside it.
Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the instant case merely because he happens to be the owner of the Hotel Arsh. It is further submitted that the petitioner has nothing to do with the seized liquor and nothing was recovered from his conscious possession and the vehicle carrying fire crackers does not belong to him. It is lastly submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and particularly the fact that nothing has been recovered from the conscious possession of the petitioner and also that the vehicle in question in which the fire crackers are alleged to have been kept does not belong to the petitioner, in such circumstances, let the petitioner, above named is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of this order, on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special District and Sessions Judge, Excise Act- 1st, Patna in connection with Special Case No. 1473/2024 arising out of Gardanibagh Police Station Case No.



569/2024 subject to the conditions as laid down under section
438(2) of the Code of Criminal Procedure.

(Alok Kumar Sinha, J)

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