

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21588 of 2025**

Arising Out of PS. Case No.-271 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Baiju Sah Son of Sukkan Sah R/o village - Bhartua, Ps- Arua, Dist-  
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Anish Chandra

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

3      27-06-2025                      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 272 and 273 of the Indian Penal Code and Sections 30(a), 32(2), 33 and 41 of the Bihar Prohibition and Excise Act, 2016.

3. A perusal of the F.I.R. and the seizure list would show that there is a recovery of total of 450 liters of spirit from a Bolero vehicle and three persons were arrested on the spot.

4. Learned counsel for the petitioner submits that the petitioner was not present on the spot and hence, there is no recovery from the personal and conscious possession of the petitioner. The name of the petitioner surfaced on the ground



that he is the owner of the seized Mahindra Bolero vehicle with Registration No.BR06PB1363. Further, the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. At this stage, the petitioner has agreed to deposit an amount of Rs. 5,000/- in the account of Patna High Court Legal Services Committee, Patna bearing Account No. 1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

7. In view of the facts of the case that the petitioner has no criminal antecedent as also no recovery has been made from physical or conscious possession from him, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kochadhaman P.S. Case No.271 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned D.J.-II-cum Special Judge (Excise-1), Kishanganj, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to



the further condition that the bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee.

(Soni Shrivastava, J)

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