

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24028 of 2025

Arising Out of PS. Case No.-1079 Year-2024 Thana- MASAUDHI District- Patna

Sintu Kumar @ Santu Kumar S/O Surender Kumar @ Nawal Prasad Resident
of Maharajchak, P.S.- Masaurhi, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Adv.

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-04-2025 Heard Mr. Dipak Kumar, learned counsel for the
petitioner and Ms. Renu Kumari, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mashauri P.S. Case No. 1079 of 2024 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, the police has recovered
total 605.25 liters of illicit foreign liquor from the house of co-
accused Raushan Das.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner rather the illicit liquor has been recovered from the house of co-accused Raushan Das. The petitioner at the time of preparation of seizure list was not present at the place of occurrence. The petitioner has three criminal antecedents as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Rakesh Kumar has been granted regular bail by this Court vide order dated 19.02.2025 passed in Cr. Misc. No. 9000 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the petitioner has three criminal antecedents of the similar nature of offence and, hence, he does not deserve the privilege of anticipatory bail.

7. Having considered the rival submissions of the parties, this Court does not deem it a fit case for grant of anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks



from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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