

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21594 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- PUSA District- Samastipur

Prince Kumar @ Shubham Kumar S/o Sudheer Kumar Ray @ Sudhir Kumar
R/o Village- Malikaur, P.S.- Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Pusa P.S. Case No. 79 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, informant received secret information that petitioner alongwith his associate ordered liquor from outside and thereafter selling the said liquor to the small liquor trader in the Litchi orchard of one Satyanarayan Rai. On the said information, informant alongwith police force reached at the place of occurrence. On seeing the police, 5-6 persons started running from the orchard. Police tried to catch them but they managed to escape from the place of



occurrence. Amongst them, two persons were identified as petitioner and co-accused Manish Kumar in the bright light of the police vehicle. On search, 585 litre foreign liquor was recovered from Tata Ace Gold vehicle in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that the alleged recovery has been made from the Litchi orchard of one Satyanarayan Rai and petitioner has no concern with the alleged recovery. No incriminating article has been recovered from the conscious possession of the petitioner. He has nothing to do with the alleged recovery. He further submits that petitioner is not the owner of the Tata Ace Gold vehicle in question. 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 opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Samastipur in connection with Pusa P.S. Case No. 79 of 2024, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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