

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23879 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- KADWA District- Katihar

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Pritam Kumar S/o Dilip Kumar Sah R/o Village- Shyamagrh Hat, P.S.-
Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kadwa P.S. Case No.244 of 2024 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 1.5 litre foreign liquor was recovered from the four wheeler Nexon bearing Registration No. BR11BM3948 and co-accused, Vishnu Kumar, was apprehended as a driver of the said vehicle.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been transpired in the present case as owner of the vehicle



in question. Petitioner has nothing to do with the alleged occurrence. From the perusal of the FIR, it is crystal clear that co-accused, Vishnu Kumar, has admitted that recovery which is made from the vehicle in question was brought by him for his personal consumption. He further submits that petitioner is not found at the place of occurrence. He further 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.

5. The learned A.P.P. for the State vehemently 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 Additional District and Sessions Judge-cum-
Exclusive Excise Court No.2, Katihar or Successor Court in
connection with Kadwa P.S. Case No.244 of 2024, subject
to the conditions as laid down under Section 482(2) of the
B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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