

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27642 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- KASIMBAZAR District- Munger

Anand Kumar Sao @ Anand Kumar Sah Son of Late Ramotar Sao @ Late
Ramotar Sah R/o Village - Maksuspur, P.S.- Kasim Bazar, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act, 2022.

3. The prosecution story in brief is that on 27.01.2025,
on the basis of secret information ASI of Kasim Bazar reached
Maksupur Akhara and saw a person with white plastic bag. It is
further alleged that he fled away on seeing the police but local
people identified him as petitioner.

4. Learned counsel for the petitioner submits
petitioner has antecedents of two cases and allegation is of
recovery of 24 liters of illegal country made wine in six
polythene. It is further submitted that petitioner is innocent and
has been falsely implicated in the present case, it is next
submitted that nothing has been recovered from the conscious
possession of the petitioner, it is also submitted that name of the
petitioner has been implicated on the basis of disclosure made



by a stranger person which has no evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the fact that nothing has been recovered from the conscious possession of the petitioner and also that the seizure memo has been prepared which does not bear the names and signatures of two independent witnesses, which put a serious question mark on the legality and validity of the seizure itself.

7. Accordingly, the petitioner in the event of his arrest or surrender within four weeks from today, let the petitioner, as named above, be enlarged on bail 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 Exclusive Special Excise Judge Excise-I, Munger in connection with Kasim Bazar P.S. Case No. 20 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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