

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27765 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- RIGA District- Sitamarhi

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Sudhir Kumar son of Late Biswanath Chaudhary Resident of Badi Bazar
Mirchai Patti, Ward No.10, P.S. and District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 07-05-2025 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act in
connection with Riga P.S. Case No.103 of 2025.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 300 ml of liquor from a motorcycle.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and is not the owner of the seized motorcycle and he



came to be implicated based on confessional statement of apprehended accused Vijay Kumar Chaudhary.

5. The learned APP for the State opposes the anticipatory bail application.

6. The petitioner has denied that he is owner of the seized motorcycle bearing registration no.BR30AP1984. Nothing has been recovered from the conscious possession of the petitioner. The petitioner claim to having one criminal antecedent of similar nature, in which he claims to be on bail. The search and seizure memo does not bear the signature of two independent witnesses, which puts a question mark on the legality and validity of the seizure itself. Under these circumstances, this considers it appropriate to grant the privilege of anticipatory bail to the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court, I, Sitamarhi in connection with Riga P.S. Case No.103 of 2025,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C./Section 482(2) of the Bhartiya Nagarik Suraksha
Sanhita.

(Alok Kumar Sinha, J)

Prakash Narayan

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