

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33069 of 2025

Arising Out of PS. Case No.-212 Year-2020 Thana- Excise P.S. District- Samastipur

Amar Chand Son of Samay Singh Village- House No 828 Chouthiya Patti,
P.S- Banchari, District -Palwal, Satate- Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Excise P.S. Case No. 212 of 2020 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engage in illegal trading/manufacturing of illicit liquor, where, there is recovery of 69.12 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf



of the petitioner submitted that implication of this petitioner appears with the present case only for the reason that he appears registered owner of the vehicle in issue i.e., Mahindra Scorpio, which was sold to one Rakesh Kumar Singh on 15.01.2020 much prior to this occurrence. In support of his submission learned counsel relied upon the annexure-P/2 of the present bail petition, which is NOC given by Govt. of Haryana regarding aforesaid sale. It is submitted that in view of aforesaid it can be safely said the recovery was not made from the physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of



four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, (Excise)-02, Samastipur/concerned Trial Court where the case is pending in connection with Excise P.S. Case No. 212 of 2020 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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