

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26555 of 2025

Arising Out of PS. Case No.-1112 Year-2024 Thana- BIHTA District- Patna

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SANOJ KUMAR S/O BINDA RAY R/o vill - Mustafapur, Katesar, Amnabad,
P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudal Prasad

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 1112 of 2024 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, there is alleged recovery of 20 litre illicit liquor from the motorcycle in question and 40 litre illicit liquor from the field. Co-accused, Raushan Kumar, was apprehended on the spot who disclosed the name of petitioner and other who fled away from the place of occurrence.

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. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel orally submits that motorcycle in question from which recovery was made does not belong to the petitioner. He further submits that after two days of occurrence police officials visited at the house of the petitioner and a motorcycle which was standing in the petitioner's premises bearing registration no. BR01FF7316 was taken away forcefully. Petitioner is not in any way connected with the alleged occurrence. Except disclosure of Co-accused, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence. Petitioner is not found at the place of occurrence.

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 Special Excise Judge Danapur in connection with Bihta P.S. Case No. 1112 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Alok Kumar Pandey, J)

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