

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29740 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- HISUWA District- Nawada

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Fantush Kumar @ Fanta S/o- Sakaldeo Rajbanshi Village- Dumari (Mushari),
P.S- Hisua, Dist- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Hisua P.S. Case No. 150 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, informant got secret information that petitioner is indulged in the business of liquor and he has hidden illicit liquor in the wheat field situated near Dumri Musahri. On the said information, informant along with other police officials reached at the spot and 27 litre illicit country made liquor was recovered from the wheat field situated near Dumri Musahri.

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. He further submits that source of information has not been disclosed by the prosecution. Petitioner bears no criminal antecedent. He further submits that place of recovery is an open place which is accessible to all and petitioner cannot be held responsible for the alleged recovery. Petitioner was not found on the place of occurrence. Petitioner has no concern with the alleged recovery. Petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the 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 Exclusive Special Excise Court-1, Nawada in connection with Hisua P.S. Case No. 150 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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