

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35143 of 2025

Arising Out of PS. Case No.-81 Year-2023 Thana- KISHANGANJ District- Kishanganj

Satyam Kumar Singh S/O Bidyapati Singh R/O Guru Garden Road,
Serampore, Pravas Nagar, Hooghly, PS- Hooghly, Dist.- Hooghly, W.B.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30, 32, 41 & 47 of the Bihar Prohibition & Excise Act.

3. The recovery of total 2232 litres of illicit Indian made foreign liquor has been shown from a Bolero Pickup vehicle.

4. Learned counsel for the petitioner submits that no recovery was made from physical and conscious possession of the petitioner. His name has surfaced in the present case on account of the fact that he is the owner of the seized vehicle. It is further submitted that the seizure list would go to show that the petitioner had valid transport pass of the consignment, but the driver of the vehicle by mistake entered into the territory of



the State of Bihar and the police apprehended the driver along with the vehicle. The process of search and seizure also amounts to violation of the mandatory provisions as there is no independent witness to the said seizure. It is next submitted that the petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail on account of the seizure made.

6. At this stage, an offer is made on behalf of the petitioner that he would deposit a sum of Rs. 25,000.00 (Rupees Twenty Five Thousand) in account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

7. Considering the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within eight weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kishanganj P.S. Case No. 81 of 2023, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

8. However, it is made clear that the bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

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