

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30440 of 2025

Arising Out of PS. Case No.-48 Year-2023 Thana- FULKAHA District- Araria

Vijay Kumar Das son of Ramjee Das Village- Dharhara, Ward no. 01, Ps-
Fulkaha, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Fulkaha P.S. Case No. 48 of 2023 lodged on 02.05.2023,
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution, FIR has been lodged against
the sole petitioner. Total recovery of 16.500 litres of illicit liquor
has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the recovery of alleged liquor has been made from
a motorcycle which belongs to the petitioner. Counsel submits
that petitioner has given his motorcycle to other person and
petitioner has no concern with the alleged recovery. Counsel
submits that in future such mistake shall not take place. Counsel



further submits that the criminal antecedent of the petitioner is not clean as there are two cases pending against him and both have been lodged under Indian Penal Code.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Exclusive Special Judge Excise Court-II, Araria, in connection with Fulkaha P.S. Case No. 48 of 2023, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Divyansh/-

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