

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32127 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- ISUAPUR District- Saran

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Prem Kumar Son of Subhash Sah R/o Village - Jagdishpur, Dew Bahuara,
P.S.- Isuapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The perusal of the first information report and the seizure list would go to show that a total of 160 litres of country made liquor was recovered from a motorcycle.

4. It has been submitted on behalf of the learned counsel for the petitioner that initially the petitioner was not named in the FIR and his name transpired during the course of investigation on the basis of the fact that the seized motorcycle belongs to him. It has been submitted that no recovery has been made from the personal or conscious



possession of the petitioner and the mandatory provisions of search and seizure have also been violated inasmuch as there is no independent witness to the seizure list. The petitioner has no criminal antecedent.

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

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Isuapur P.S. Case No.4 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Court No.3, Saran at Chapra, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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