

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34246 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- NATIONAL HIGHWAY District-
Samastipur

Arvind Kumar Son of Dev Narayan Singh Resident of village - Dadri
Dhanraj, P.S.- N.H. Bangra, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Bangra P.S. Case No. 28 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 32.500 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that alleged illicit liquor was made



behind the huts of Pawan Sada and Gopal Sada, which is an open place accessible by general public. It is submitted that these two persons were not made accused in this case and mere on the basis of secret information, without having any *prima-facie* material, the petitioner was implicated with present case. It is submitted that admittedly recovery was not made from physical possession of this petitioner. It is further submitted that petitioner found involved in one more criminal case of different nature, where he is on bail.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge,



Excise – 01, Samastipur, in connection with Bangra P.S.
Case No. 28 of 2025, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C/Section 482(2) of the
Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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