

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32909 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- LAUKAHA District- Madhubani

Chotu Kumar S/o Ram Sahu @ Ram Sah Kasera @ Ram Sah R/o vill and
P.S.- Jhanjharpur, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 20-05-2025

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita and Section 30(a) of Bihar Excise Act.

3. As per the prosecution case, there is recovery of 12.5 litres country made liquor from the possession of two co-accused persons, namely, Raju Kumar Singh and Amit Kumar Sah who were riding on T.V.S. Apache Motorcycle of which petitioner is registered owner. 27 litres country made liquor was also recovered from the possession of pedestrian co-accused Raju Prasad. All the three named accused persons were arrested on spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case only because he is owner of the seized motorcycle. Further submission is that petitioner had given his motorcycle to



co-accused persons, namely, Raj Kumar Singh and Amit Kumar Sah in good faith as they are close relatives. Petitioner has no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case No. 26 of 2025 (G.R. No. 175 of 2025), subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

utkarsh/-

U		T	
---	--	---	--

