

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36391 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- SHIVSAGAR District- Rohtas

Krishna Kumar S/O Fulan Sah Resident of Village- Badkikir, Police Station-
Sonhan, District- Kaimur at Bhabhua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 31-10-2025 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 Shivsagar P.S. Case No. 31 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, upon police raid, 7.500 litres foreign liquor, kept in a white colour plastic bag, was recovered from *Sarso* field and, upon further search, 2.720 litres foreign liquor was recovered from one unregistered motorcycle bearing chassis No. MD625AF97R1E07368. From another motorcycle bearing Registration No. BR24U-6875, 1.875 litres foreign liquor was recovered.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with the present case only for the reason that he is the registered owner of the motorcycle bearing Reg. No. BR24U-6875. It is submitted that motorcycle which found carrying 1.875 litres illicit liquor was given to the nephew by the petitioner for purchasing the medicine from market, but same was misused by his nephew, which was not in knowledge of petitioner.

5. While concluding argument, it is submitted by learned counsel that petitioner found involved in one case of similar nature, in which he is on bail.

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

7. In view of the aforesaid factual submissions and by taking note of the fact as admittedly recovery of illicit liquor 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 Court No.2-cum-District & Additional Sessions Judge, Rohtas at Sasaram/concerned court in connection with Shivsagar P.S. Case No. 31 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)

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