

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32997 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- FCI District- Begusarai

SAKINDRA KUMAR S/O RAM NARAYAN SINGH R/o vill - Bihat, P.S.-
F.C.I., Distt.- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Prabhat

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with F.C.I. P.S. Case No. 31 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2022 (Amended).

3. As per prosecution case, 1.620 litre illicit foreign liquor was recovered from the husk kept in front of house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of three cases, out of which in two cases he is on bail and in one case petitioner has been



acquitted. He further submits that place of recovery is an open place and same is accessible to all and petitioner cannot be held responsible for the alleged recovery. No incriminating article has been recovered from conscious possession of the petitioner. Petitioner was not found on the place of occurrence. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Begusarai in connection with F.C.I. P.S. Case No. 31 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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