

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33451 of 2025

Arising Out of PS. Case No.-56 Year-2024 Thana- SUKHANI District- Kishanganj

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Santu Kumar S/o Jay Lal Rai R/o Village- Manikpur, P.S.- Saraiya, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends arrest in connection with
Sukhani P.S. Case No. 56 of 2024, registered under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 909 liters
liquor was recovered from pick-up vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submits that the petitioner was not present at the place of
occurrence. Name of the petitioner has transpired in this case as
being owner of the vehicle in question and has got no
knowledge regarding nature of the goods loaded in the vehicle.



Learned counsel for the petitioner, therefore, contends that *prima-facie*, no case is made out against the petitioner. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 13.02.2025 passed in Cr. Misc. No. 6466 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sukhani P.S. Case No. 56 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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