

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32698 of 2025

Arising Out of PS. Case No.-120 Year-2025 Thana- SAKRA District- Muzaffarpur

Sudhanshu Kumar @ Pintu Mahto @ Sudhansu Kumar @ Pintu Kumar S/O
Maheshawar Mahto, Resident Of Village- Malpur Agrail, Police Station-
Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sakra P.S. Case No. 120 of 2025, instituted under Sections
30(a), 32(1), 32(2), 36, 41(1), 41(2) of the Bihar Prohibition &
Excise Act.

3. As per the prosecution case, there is recovery of
1647.8 litres illicit liquor from the Pick-up vehicle. Co-accused
Ajit Kumar was apprehended on the spot who disclosed the
name of the petitioner and other accused persons that they are
associates in the business of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner was neither present on the spot nor he was



arrested from the spot. There is no recovery of incriminating article from the conscious possession of the petitioner. Except the confessional statement of co-accused, there is no material against the petitioner. Petitioner has neither concern with the seized vehicle nor with the seized illicit liquor. Petitioner has one criminal antecedent in which he is on bail. Petitioner undertakes to co-operate 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 submission 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Muzaffarpur in connection with Sakra P.S. Case No. 120 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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