

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34413 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- ISUAPUR District- Saran

1. Shailendra Kumar @ Shailendra Rai son of Shivjee Rai village - Lauva, P. S - Isuapur, District - Saran
2. Sanjeet Kumar son of Bikram Rai village - Lauva, P. S - Isuapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-06-2025 Heard Mr. Hemant Kumar, learned counsel for the petitioners and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Isuapur P.S. Case No. 47 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 30 litres of liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners are not the owner of the vehicle. The petitioners



have got no concern with the alleged recovery of liquor. The petitioners have five criminal antecedents each. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners stating that there are five criminal antecedents of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, five criminal antecedents of the petitioners, in my view, this is not a fit case for anticipatory bail, hence, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioners is, hereby, rejected.

8. However, if the petitioners surrender before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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