

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34183 of 2025

Arising Out of PS. Case No.-996 Year-2023 Thana- BARACHATTI District- Gaya

Salesh Kumar @ Sailesh Kumar S/o Satendra Paswan R/o Village-
Amahara P.S. Mohanpur District -Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 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 Barachatti (Mohanpur) P.S. Case No. 996 of 2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 40 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that as the copy of Aadhar Card of the petitioner was found nearby motorcycle, which was found



carrying illicit liquor, his name has been implicated in the present case, otherwise, petitioner is neither connected with the motorcycle in issue nor with the seized illicit liquor. It is submitted that in view of aforesaid, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of this petitioner, who claims to be a man of clean antecedent.

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

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, 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 Excise Court No.V, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 996 of 2023, 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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