

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34751 of 2025

Arising Out of PS. Case No.-375 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

Subodh Kumar S/o Lal Babu Mandal R/o Vill- Bakarpur, P.O. and P.S.-
Kudhani, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainandra Kumar

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Ramkrishna Nagar P.S. Case No. 375 of 2022 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise(Amendment) Act, 2018.

3. As per prosecution case, there was alleged recovery of total 36.595 litre illicit liquor from the scooty in question bearing registration no. BR06BU-2836.

4. Learned counsel for the petitioner orally submits that petitioner is not named in the FIR and his name has been transpired in the present case as owner of the



scooty in question. It is submitted that petitioner has already sold the scooty prior to the alleged occurrence and on the basis of agreed amount, petitioner handed over the scooty to Manohar Kumar on 12.11.2021 and thereafter petitioner has nothing to do with the said scooty. A photocopy of sale letter with respect to the said scooty is annexed as annexure-P/2 of the bail petition. Learned counsel further submits that petitioner is not found at the place of occurrence. Petitioner has no concern with the alleged recovered liquor. He further submits that seizure list has not been prepared as per law. Apart from that, petitioner bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 Special Judge, Excise 2nd, Patna in connection with Ramkrishna Nagar P.S. Case No.375 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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