

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35872 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- TANDWA District- Aurangabad

Sandip Kumar Son of Ramjanm Singh R/o village - Keshwar Bigha, Kataiya,
P.S.- Deo, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Tandwa P.S. Case No.39 of 2024 registered for the offences punishable under Section 30(a) of Bihar Excise Prohibition and Amendment Act, 2018.

3. As per prosecution case, 185.4 litre country made liquor was recovered from the tempo in question and co-accused Rahul Kumar was apprehended as driver of the said tempo and he disclosed that mobile holder no. 8340509009 has called him to deliver the illicit liquor.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his named has



been transpired in the present case as mobile no. in question is registered in the name of the petitioner. He further submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Learned counsel for the petitioner submits through para 10 of bail petition that petitioner is neither owner nor driver of the tempo in question. No incriminating article has been recovered from the conscious possession or house of the petitioner. Apart from that, Petitioner bears no criminal antecedent. In the light of aforesaid facts and circumstances, no offence is made out against the petitioner.

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-II, District-Aurangabad in connection with Tandwa P.S. Case No.39 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

U		T	
---	--	---	--

