

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39216 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Kundan Kumar Bishwas Son of Late Lakshami Prasad Singh R/O Village-
Mahishakol, Police Station- Araria District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-07-2025 Heard Mr. Kundan Kumar Singh, learned counsel for

the petitioner and Mr. Braj Kishore Prasad, learned APP for the

State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Kochadhaman P.S. Case No. 90 of 2024 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act.

3. The case of the prosecution is that from the *dickey* of
a bike, altogether 13.95 liters of illicit country-made foreign
liquor was recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
case. He also submits that the petitioner has transferred his bike
to one Mohit Lal Yadav in the year 2013 much prior to the
occurrence. It has also been submitted that nothing has been



recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. It is further submitted that the a statement has been made in para-3 of the bail petition that the petitioner has no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Special Case No. 161 of 2024 arising out of Kochadhaman P.S. Case No. 90 of 2024, he will be enlarged on 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 Exclusive Special Judge Excise-I, Kishanganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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