

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35463 of 2025

Arising Out of PS. Case No.-14 Year-2021 Thana- DIDARGANJ District- Patna

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1. Sanjeet Kumar @ Langra son of Lala Bhagat village- Dharmshala Gali, PS- Didarganj, Dist- Patna
 2. Suman @ Suman Kumar son of Munshi Lal Rai, village- In front of Kumar Pump, PS- Didarganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Didarganj P.S. Case No. 14/2021 registered for the offences punishable under Sections 30 (a) and 36 of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 225 liter country made liquor from the Omni vehicle in question. Apprehended co-accused Ravi Kumar @ Santosh Kumar disclosed the name of the petitioners who fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence as alleged in the FIR. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioners with the alleged occurrence. Petitioners bear no criminal antecedent. The petitioners were not present at the place of occurrence. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the seized liquor. The petitioners are not the owner of the seized vehicle in question. He further submits that the petitioners are not in any way connected with the alleged occurrence. Seizure list has not been prepared as per law. He further submits that in the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna City in connection with Didarganj P.S. Case No. 14/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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