

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42016 of 2025

Arising Out of PS. Case No.-150 Year-2022 Thana- PUNPUN District- Patna

Shiv Kumar @ Shiv Yadav S/o- Bhagrit Singh, Resident of Power House
Dariyapur PO- Gangachak PS- Bhagwanganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Punpun P.S. Case No. 150 of 2022, Special Case No. 2639 of 2022, instituted under Section 30(a) of the Bihar Prohibition & Excise Act.

3. There is recovery of 30 litre illicit liquor from the motorcycle bearing Registration No. BR01AR 5199.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Petitioner is not the owner of the said motorcycle. Although he had purchased the same on 22.10.2017 but had sold the same to one Mukesh Kumar on 16.01.2022. Nothing has been recovered from the possession of the petitioner. Petitioner



has one criminal antecedent which is not of the similar nature, in which he is on bail. He undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise-II, Patna in connection with Punpun P.S. Case No. 150 of 2022, Special Case No. 2639 of 2022, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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