

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40475 of 2025

Arising Out of PS. Case No.-395 Year-2024 Thana- MAIRWAN District- Siwan

Sujit Kumar Son of Subhash Singh R/O Vill.- Maidaniya, P.O.- Sewatapur,
P.S.- Mairawa, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Mairawa P.S. Case no. 395 of 2024 instituted for the offence under Section 30(A) of the Bihar Prohibition of Excise Act.

3. Prosecution case relates to recovery of 180 litres country made liquor which was kept in a bag and thrown away by the accused persons from a motorcycle. One person, namely, Amit Kumar was apprehended while two others managed to escape on the said motorcycle.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the alleged motorcycle. The name of the petitioner has been disclosed in this case by the apprehended accused person before the police, which has got no evidentiary value in the eye of law. Provision of Section 103 B.N.S.S. has not been followed by the police officials while preparing the seizure list. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

5. Learned APP appearing for the State has opposed the prayer of Bail.

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 Mairawa P.S. Case no. 395 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 Spl. Excise Court No. 1, Siwan subject to the conditions as laid



down under section 482 of the BNSS.

(S. B. Pd. Singh, J)

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