

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37072 of 2025

Arising Out of PS. Case No.-429 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Abhishek Kumar S/O Prakash Chauhan Resident of Village/ Mohalla-
Bheriya Rahika, P.S- Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-06-2025 Heard Mr. Bimal Kumar, learned counsel for the
petitioner and learned APP.

2. The petitioner apprehends his arrest in connection with Katihar Town (S) P.S. Case No. 429 of 2025 dated 04.05.2025 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case on 04.05.2025, the police on getting secret information, that the petitioner has kept the illicit liquor in a shanty situated behind his house, reached there and upon seeing the police party, the petitioner threw away the carton of illicit liquor and fled away. The villagers disclosed the name of the petitioner who succeeded in fleeing away. The police recovered 7.635 liters of illicit foreign liquor from the said shanty.



4. Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of disclosure of his name made by the villager. The recovery of the illicit liquor has been made from the shanty situated behind the house of the petitioner which is a vacant land easily accessible to each and every one.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession of the petitioner rather it has been recovered from the shanty situated behind the house of the petitioner which is a vacant land easily accessible to all and sundry and the petitioner has got no criminal antecedent as stated in paragraph-3 of the petition, accordingly, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 Excise Court-II, Katihar, in connection with Katihar Town (S) P.S. Case No. 429 of 2025



subject to the condition as laid down under Section 482 (2) of
the B.N.S.S., 2023.

(Anil Kumar Sinha, J)

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