

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39932 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- SURSAND District- Sitamarhi

Gulshan Kumar S/o Premshankar Sah @ Premshankar Prasad R/o Village-
Sursand Ward No. 8, P.S.- Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-07-2025 Heard Mr. Krishna Murari, learned counsel for the
petitioner and Mr. Ajit Kumar, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sursand P.S. Case No. 80 of 2025 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that three bikers were apprehended and from their bike, altogether 45 liters of nepali country made liquor was recovered. The apprehended persons were identified as Jeetu Kumar, Raunak Kumar and Ramkrishna Rai. The name of this petitioner has been disclosed by the apprehended persons.

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. Learned counsel for the petitioner has submitted that petitioner is neither the owner nor the driver. His name has only surfaced in the statement of co-accused persons.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner has got one criminal antecedent.

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 Sursand P.S. Case No. 80 of 2025, 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 Court-2, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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