

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38013 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- BARGAINIA District- Sitamarhi

Shiv Kumar Sah @ Shiv Shankar Sah S/o Gunilal Sah R/o village -Nandwara
ward no. -11 @ Nandvara, ward no. 11, P.S. - Bairgania @ Bairganiya, Dist. -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 30(a), 30(c) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, 39.30 litres illicit liquor
was recovered from the seized motorcycle bearing registration
no. BR30AK4193.

4. Learned counsel for the petitioner submits that no
incriminating material has been recovered from conscious
possession of the petitioner. Petitioner has got no concern with
the alleged recovery and he has been made accused only on
suspicion. Petitioner is neither driver nor owner of the vehicle in
question. Petitioner claims clean antecedent.



5. Considering the nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court-1, Sitamarhi in connection with Bairgania P. S. Case No. 19 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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