

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45486 of 2025

Arising Out of PS. Case No.-43 Year-2021 Thana- GUTHANI District- Siwan

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Rohit Kumar Bharti @ Rohit S/o Arjun Bharti Resident of Village - Papaur
Mathiya, P.S.-Sarai O.P., District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate
For the State : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2025 Heard Mr. Bijay Prakash Singh, learned counsel

appearing on behalf of the petitioner and Mr. Umeshanand

Pandit, learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, 265.500 litres illicit Indian
made foreign liquor was recovered from the seized car.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
Petitioner is neither owner nor driver of the vehicles in question.
No incriminating article has been recovered from conscious
possession of this petitioner and has been made an accused in
this case merely on the basis of confessional statement of co-



accused person. Petitioner has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Exclusive Special Court No. 1, Siwan in connection with Guthani P.S. Case No. 43 of 2021, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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