

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42477 of 2025

Arising Out of PS. Case No.-18 Year-2020 Thana- DAGARUA District- Purnia

Om Prakash Kumar S/o Bechan Sharma R/o Village- Gauravgarh, Ward No 05, P.S- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending arrest in connection with Dagarua P.S. Case No. 18 of 2020 lodged on 08.02.2020, for the offence punishable under Sections 272 & 273 of the Indian Penal Code read with section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, FIR has been lodged against two named accused persons and one owner of a vehicle. Total recovery of 243 litres of foreign liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the petitioner's possession and the alleged recovery of foreign liquor was made from a vehicle and petitioner is alleged to be the purchaser of



the said vehicle in an auction sale. Counsel submits that the petitioner is not the registered owner of the said vehicle and he has unnecessarily been made accused in this case. Counsel submits that the co-accused has disclosed the name of the petitioner. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that from the record, it transpires that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Judge Excise Act, Purnia, in connection with Dagarua P.S. Case No. 18 of 2020, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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