

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43229 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Sanjay Kumar S/o Chandradev Mahto R/o Village- Kapan Ward-4, Singhiya
Buzurg, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Rishu, Advocate
Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-07-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Bibhutipur P.S. Case no.148 of 2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received, the informant states that a raid was conducted. While one accused namely Navin Kumar was arrested and 872.640 litres of liquor recovered, it is stated that two accused persons managed to escape. On enquiry, the arrested accused disclosed the name of the persons who had managed to escape which included the petitioner herein.



4. Learned counsel for the petitioner submits that from the contents of the FIR itself, it would transpire that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The only material against the petitioner is the statement of co-accused made before police. The petitioner has no concern either with the seized article nor with the co-accused. He also does not have any concern with the vehicle seized from near the place of occurrence. The cause of false implication of the petitioner is his antecedent. He undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, the petitioner not having been arrested at the spot and the name of the petitioner having transpired in the statement of the co-accused made before police, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bibhutipur P.S. Case no.148 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Exclusive Special
Judge, Excise Court-I, District Samastipur.

(Partha Sarthy, J)

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