

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42925 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- KHIJARSARAI District- Gaya

Upnayan Kumar Son of Jitendra Kumar @ Jitendra Sharma Resident of
Village - Bana, Police Station - Khizersarai, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Ms. Surabhi Nirmal, Advocate
For the State : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-07-2025 Heard learned counsel appearing on behalf of the
petitioner and 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, 45 litres illicit foreign liquor was recovered from near the house of this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioner has got no criminal



antecedent of similar nature.

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 Excise, Court No. 2, Gaya in connection with Khizersarai P.S. Case No. 119 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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