

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52309 of 2025

Arising Out of PS. Case No.-153 Year-2021 Thana- LODIPUR District- Bhagalpur

Shanu Kumar @ Shanu Kr. Son of Manoj Kumar Tanti, Resident of Mohalla -
Laluchak Bhatta, Police Station - Ishakchak, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Lodipur P.S. Case No.153 of 2021 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
18.750 liter Indian made foreign liquor from the motorcycle of
the petitioner which was driven by the co-accused Mukesh
Kumar.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case being the owner of the seized motorcycle. He further
submits that the apprehended co-accused Mukesh Kumar has
taken the motorcycle of petitioner on the pretext that his father
needs immediate medication and has to be taken to doctor for



his treatment. Learned counsel submits that the petitioner was not aware of the evil designs of co-accused Mukesh Kumar. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel submits that petitioner has clean criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IX, Bhagalpur in connection with Lodipur P.S. Case No.153 of 2021, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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