

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44612 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Chhotu Kumar S/O Umesh Ray R/O Village- Kalyanpur Basti, PS-
Mohiuddin nagar, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Om Prakash Om, Advocate
For the State	:	Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2025 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, 145.800 litres illicit
foreign liquor was recovered from Teak Orchard of one
Permanand Ray. This petitioner is alleged to have fled away
from the spot.

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 the basis of



disclosure made by local chawkidar. The alleged illicit liquor has been recovered from Teak Orchard of one Permanand Ray which is an open place and 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 Special Judge, Excise-2, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 245 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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