

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50917 of 2025

Arising Out of PS. Case No.-260 Year-2020 Thana- BAISI District- Purnia

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Anil Kumar S/O Sitaram Resident of 192, I.K.B. Okhala, PS- Okhala,
District- South Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is apprehending arrest in connection with Baisi P.S. Case No. 260 of 2020, dated 20.10.2020, lodged under Sections 272 & 273 of the Indian Penal Code and under Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise (Amendment) Act, 2016, pending before the Court of Exclusive Special Judge, Excise Court No. 1, Purnea.

3. As per the prosecution, total recovery of 3,084.12 litres of illicit liquor has been made from a truck, 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. He further submits that the petitioner is the owner of the truck in question, but he was not present in the truck at the time of the incident. If any wrongdoing occurred, it was committed by the driver and



the *khalasi* of the truck. He further submits that, in future, the petitioner, being the owner of the vehicle, shall ensure that his truck is not misused. He also submits that the antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that although the antecedent of the petitioner is clean, a huge quantity of illicit liquor has been recovered, and the petitioner is the owner of the said truck.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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