

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48712 of 2025

Arising Out of PS. Case No.-234 Year-2025 Thana- Excise P.S. District- Kishanganj

Gour Chandra Ghosh Son of Late Narayan Chandra Ghosh R/o Dumaria,
Ward No.- 30, P.S.- Kishanganj, P.O.- Kishanganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Mritunjay Kumar, learned counsel for
the petitioner and Mr. Umanath Mishra, learned APP for the
State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kishanganj Utpad (Madya Nisedh) P.S. Case No. 234 of 2025 instituted for the offence under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a *scooty* altogether 2.130 liters of country made foreign liquor was recovered. Two persons were apprehended, they disclosed their name as Roshan Poddar and Partho Ghosh. Petitioner has been named in this case as he is the owner of the scooty.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has further submitted that nothing has been recovered from his possession and he is not concerned in any way with the alleged recovery. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kishanganj Utpad (Madya Nisedh) P.S. Case No. 234 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Kishanganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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