

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50178 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- SANDESH District- Bhojpur

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1. Ayush Kumar S/O Vijaya Shankar Singh @ Jata Singh R/O Village-Vishnupur @ Vishunapura, PS- Chandi, District- Bhojpur
 2. Sachin Kumar S/O Vijaya Shankar Singh @ Jata Singh R/O Village-Vishnupur @ Vishunapura, PS- Chandi, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Bibhakar Tiwary, Advocate
For the State : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2025 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. appearing on behalf of the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw this anticipatory bail application on behalf of Petitioner No. 2, namely Sachin Kumar, as during pendency of this case, Petitioner No. 2 has already been arrested.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application with respect to Petitioner No. 2 stands dismissed as withdrawn.

5. Petitioner No. 1 apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the



Bihar Prohibition and Excise Act.

6. As per prosecution case, 3.375 litres illicit liquor was recovered from the seized motorcycle.

7. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicles in question. No incriminating article has been recovered from conscious possession of this petitioner and has been made an accused in this case merely on suspicion. Petitioner claims clean antecedents.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

9. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 1 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, Bhojpur at Ara in connection with Sandesh P.S.
Case No. 127 of 2025, subject to condition as laid down under
Section 482(2) of the B.N.S.S..

11. With the aforesaid directions, this application
stands disposed of.

(Prabhat Kumar Singh, J)

shashank/-

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