

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51860 of 2025

Arising Out of PS. Case No.-958 Year-2021 Thana- FATUA District- Patna

Sanjay Kumar @ Bauna Son of Ramdev Singh @ Rajdev Singh Resident of
Village- Buddhudev Chack, P.S.- Fatuha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, 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 Fatuha P.S. Case No. 958 of 2021, instituted under Sections 30(a), 37(2) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 2 litre country made Mahua liquor from the co-accused Nand Kishore Yadav, who was apprehended on the spot and he disclosed the name of the petitioner that he has purchased the said liquor from the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. There is no material against the petitioner, except the disclosure statement made by the co-accused. Petitioner has no



concern with the seized liquor or the co-accused. With the *malafide*, the co-accused implicated the petitioner despite the fact that there was no recovery from the conscious possession of the petitioner. Petitioner has one criminal antecedent which does not belong to Excise Act. Petitioner undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submission 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City at Patna in connection with Fatuha P.S. Case No. 958 of 2021, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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