

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52162 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Ajay Kumar S/o- Anirudh Mahto @ Anil Mahto R/V- Pateliya Ps- Bibhutipur
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2025 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 Sections 30(a), 32(2) and 41(i)(ii) of the Bihar Prohibition and Excise Act and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, on secret information that some miscreants have assembled to commit some crime, a raid was conducted and one Pankaj Singh was apprehended. On search of house and godown, 1103.25 litres of foreign liquor and illegal arms and ammunition were recovered and co-accused, Pankaj Singh disclosed the name of the present petitioner as one of his associates involved in the alleged offence.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicle in question and his name transpired on the



basis of confessional statement of apprehended co-accused person. Nothing has been recovered from the conscious possession of this petitioner. Petitioner has got one criminal antecedent of similar nature in which he is already on bail.

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 Exclusive Special Excise Judge-I, Samastipur in connection with Bibhutipur P.S. Case No. 228 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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