

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50893 of 2025

Arising Out of PS. Case No.-1290 Year-2018 Thana- BIHTA District- Patna

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Sudhanshu Kumar @ Sudhanshu Shekhar S/O Vinod Singh R/o Vill.-
Kalyanpur, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Bihta P.S. Case No. 1290 of 2018 dated
18.11.2018 registered for the offences punishable u/s 30(a) of the
Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 72.750 litres of
illicit foreign liquor was recovered from a Car.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the conscious possession
of the petitioner. The petitioner has no concern with the alleged
recovery. The seized vehicle does not belong to the petitioner and
the name of the petitioner has come in this case on the basis of



confessional statement of the co-accused persons. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the present anticipatory bail petition has been filed after a delay of six years. Learned counsel has further submitted that earlier the anticipatory bail petition of the petitioner was rejected by the Co-ordinate Bench of this Court vide order dated 28.02.2019 passed in Cr. Misc. No. 12321 of 2019 with observation to the petitioner “If the petitioner surrenders before the court below within a period of three weeks from today and prays for bail, the court below will pass a reasoned order in accordance with law expeditiously preferably on the same day of appearance of the petitioner taking into consideration that the petitioner has no criminal antecedent.” But the petitioner could not surrender before the court below despite the observation made by the Hon’ble High Court. There is no any fresh ground/material available on the record to consider the prayer of anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the materials available on record against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is disposed of and the petitioner is directed to surrender to the Court below within six weeks from the



date of this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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