

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52876 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- HASANPUR District- Samastipur

Shri Shivjee Kumar @ Shivjee Kumar S/o Padarath Mahto @ Ram Padarath Singh @ Ram Padarath Prasad Singh @ Ram Padarath Mahto R/o Village - Girdharpur, P.S- Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-08-2025 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 Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 35.640 litres Indian made foreign liquor was recovered from a four wheeler and 12.750 litres of Indian made foreign liquor was recovered from motorcycle of which this petitioner is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case merely because he happens to be owner of the motorcycle in question. Nothing has been recovered from



the conscious possession of this petitioner.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of liquor was recovered from the vehicle of which this petitioner is registered owner. Petitioner has got one criminal antecedent.

6. Considering the nature of accusation, fact that huge quantity of illicit liquor was recovered from the vehicle of which this petitioner is registered owner and criminal antecedent of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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