

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56048 of 2025

Arising Out of PS. Case No.-238 Year-2025 Thana- BANIAPUR District- Saran

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Arun Kumar, S/O Kanhaiya Prasad, R/O Village- Chetan Chapra, P.S.-
Baniyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Anjani Parashar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Baniyapur P.S. Case No. 238 of 2025 for the offence registered under Sections 30 (a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 1.620 litres of English wine was recovered behind the shop of the petitioner. It is alleged that the petitioner fled away after seeing the police party.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has no concern with the seized liquor. No incriminating article was recovered from the conscious possession of the petitioner. Recovery of illicit liquor was made from behind the



shop of the petitioner which is an open place accessible to anyone. Petitioner was not present at the place of occurrence. Petitioner has two criminal antecedents in which he is on bail as stated in paragraph 3 of the bail petition. Petitioner undertakes to cooperate in the investigation of this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Baniyapur P.S. Case No. 238 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., with further conditions that:-

(i) The petitioner shall cooperate in the investigation and trial;

(ii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at



liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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