

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55848 of 2025

Arising Out of PS. Case No.-1217 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Dheeraj Kumar S/o Shiv Kumar R/o Vill- Purushottampur, Ward No. 14, P.S.-
Kudhni, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

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

2. The petitioner apprehends arrest in a case registered under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act.

3. On the basis of secret information, on 05.07.2024 at about 03:45 P.M., the informant reached at the house of the petitioner and saw that one motorcycle parked next to his house on which a plastic sack was tied. No one was present in the house and on search, 34 liters illicit beer was recovered from the plastic sack.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to village politics. Further submission is that nothing has been recovered from the conscious possession of the



petitioner. The alleged recovery has been made from the motorcycle of the petitioner which was parked near the door of the petitioner in open place easily accessible to anyone. Petitioner was neither present on the spot nor he has any concern with the seized liquor. Petitioner has not involved in the trade of illicit liquor. Petitioner has no criminal antecedent and he undertakes to cooperate 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 submissions 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 bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Muzaffarpur in connection with Excise P.S. Case No. 1217 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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