

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55543 of 2025

Arising Out of PS. Case No.-359 Year-2024 Thana- NAUTAN District- West Champaran

Bittu Kumar S/o Bhuneshwar Yadav R/o Village - Nanoshati, P.S - Majhuliya,
District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-09-2025 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 45 of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, on the basis of secret
information, two accused persons containing 4.770 illicit liquor
in the motorcycle bearing Reg. No. BR22-AZ-7406 were
apprehended on the spot. But later on, co-accused Chandeshwar
Singh came on a motorcycle bearing Reg. No. MH12-EW-3899
and tried to obstruct the work of police and in the meantime,
some more persons also came on the spot and freed the
apprehended accused persons along with motorcycle from the



police.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Further submission is that petitioner is not named in the F.I.R. and his name has come during course of investigation that he is owner of the motorcycle bearing Reg. No. BR22-AZ-7406. Petitioner has no concern with the seized illicit liquor. Petitioner was not present on the spot. Nothing has been recovered from the conscious possession of the petitioner. In the seizure list, there is no independent witness and seizure list is doubtful. 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 Special Judge, Excise Court No. 1, Bettiah, West Champaran in connection with Nautan P.S. Case No. 359 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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