

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59931 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- PUSA District- Samastipur

Chandan Kumar Son of Ravindra kumar Mahto R/o Village - Balua, P.S. - Sakra, Dist. - Muzzafupur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rambabu Yadav, Advocate

For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Pusa P.S. Case No.78 of 2025, dated.07.06.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment)Act, 2022.

3. As per allegation, 202.32 liter of illicit liquor has been recovered from a cluster of bamboo and also from one motorcycle. As per further case of the prosecution, the Petitioner was seen to be fleeing away from the place of recovery as per the statement of the local *chowkidar*.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He also submits that the whole case against the Petitioner is based on suspicion and he has nothing to do with the alleged offence. He also submits that neither the motorcycle nor the bamboo belongs to the Petitioner. He also submits that no *prima facie* case is made out against the petitioner and his anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Pusa P.S. Case No.78 of 2025, subject to the conditions as



laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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