

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58847 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- KHANPURA District- Samastipur

Shri Avkash Kumar Son of Umesh Mahto, Resident of Village -Masina P.S
-Khanpur District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Khanpur P.S. Case No.125 of 2025 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 39 litre illicit foreign liquor from the Splendor Plus motorcycle bearing Registration No. BR-33AS-4858 and co-accused Sanjeev Kumar was apprehended on the spot while the petitioner fled away after seeing the police.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not the owner of the seized motorcycle and he has no concern with the alleged



seized liquor. Learned counsel submits that the co-accused with ulterior motive implicated the name of petitioner in the present case. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel submits that petitioner has got clean 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 aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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-I, Samastipur in connection with Khanpur P.S. Case No.125 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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