

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57859 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- KURSAILA District- Katihar

Sunil Modi S/o Late Vishwanath Modi R/o Village- Madhua, P.S.- Rangra,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kursela P.S. Case No.99 of 2025 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
86.400 liter foreign liquor from the car of the petitioner which
was being driven by co-accused Luvkush Yadav, who was
apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to being the owner of the vehicle in question. He
further submits that the co-accused Luvkush Yadav had taken
the vehicle of the petitioner for *bidagari* of his sister and the
petitioner had no knowledge about the misuse of the vehicle by



the co-accused Luvkush Yadav. He further submits that, however, the co-accused Luvkush Yadav was apprehended on the spot but he has not stated anything about the petitioner with respect to the involvement of the petitioner in the present occurrence. He further submits that petitioner has one criminal antecedent, in which he is on bail 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 Excise Court-II, Katihar in connection with Kursela P.S. Case No. 99 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

AjayMishra/-

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