

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61839 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- SILAO District- Nalanda

Shishupal Kumar @ Shashikant Kumar Son of Munna Mahto R/o Vill -
Dharhara, P.S. - Silao, Distt.- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Ms.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Silao P.S. Case No. 164 of 2025 registered for the offence punishable under Section 30(a), 41 of Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, informant got secret information that petitioner and other are going to hide illicit liquor kept in a pickup van in newly constructed house of Jitendra Kumar. Thereafter, police reached there and 2100 litre beer was recovered from the pickup van in question and three persons managed to escape from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that source of information has not been disclosed in the FIR which questions the authenticity of the prosecution story. No incriminating article has been recovered from possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. Seized vehicle does not belong to the petitioner. Petitioner is not even driver of the seized vehicle. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Special Judge, Excise,
2nd, Biharsharif, Nalanda in connection with Silao P.S. Case
No. 164 of 2025, subject to the conditions as laid down under
Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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