

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63561 of 2025

Arising Out of PS. Case No.-307 Year-2025 Thana- SARAIYA District- Muzaffarpur

Anand Kumar @ Anand Kumar Mahto S/o Jagdish Mahto R/o Village-
Mungauli, P.S.- Saraiya, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Sunil Kumar Pandey, learned counsel

appearing on behalf of the petitioner and Ms. Rina Sinha,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Saraiya P.S. Case No. 307/2025 registered for the
offence(s) punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 180 litres of
illicit liquor was recovered from a tempo bearing Registration
No.BR06GE9582 and one co-accused, namely, Abhishek Kumar
was apprehended on the spot, who disclosed the name of the
petitioner and other co-accused as his accomplice.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Abhishek Kumar and confessional statement made before police has no evidentiary value. Petitioner has no concern either with the recovered liquor or with the seized tempo.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Abhishek Kumar and confessional statement made before police has no evidentiary value, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court where the case is pending in connection with Saraiya P.S. Case No. 307/2025,



subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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