

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66337 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- AAJAM NAGAR District- Katihar

Vishal Kumar Das S/o Santosh Das, R/o Sakraili, PS- Dandkhora, Distt-
Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Azamnagar P.S. Case No. 404 of 2024, dated 27.10.2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 42.300 litres of illicit foreign liquor was recovered from the possession of different persons.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and name of the petitioner surfaced in the present case by the investigating officer of the case on the basis of the fact that petitioner is the



owner of the motorcycle bearing registration no. BR-39AK-0354, which was recovered from the apprehended co-accused Navin Kumar, from whose possession 10 litres of illicit foreign liquor was recovered. He further submits that Navin Kumar took away the motorcycle in question for some urgent work without prior knowledge of the petitioner and during the course of which the alleged occurrence was said to have taken place. Nothing has been recovered from the conscious possession of the petitioner and petitioner has no concern with the alleged recovery. He lastly submits that petitioner claims clean antecedent.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner has clean antecedent, he is not named in the FIR and nothing has been recovered from his conscious possession, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like



amount each to the satisfaction of the learned Exclusive Special
Excise Court-II, Katihar, in connection with **Azamnagar P.S.**
Case No. 404 of 2024, subject to the conditions laid down under
Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

Shahnawaz/-

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