

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65167 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- Haraiya District- East Champaran

Parmanand kumar Son of Late krishna Lal Sah Resident of Village - Shankar
Saraiya Fateh Tola Ward no. - 3, P.S. - Turkauliya, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-10-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Haraiya Police Station Case No. 23 of 2024,
disclosing offences under Sections 318(4), 338, 336(3), 340(2),
61(2) of the BNS, 2023 and Sections 30(a), 41(1), 31, 33, 38, 47
of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on 27.10.2024 at
about 22.05 pm, police received secret information about illegal
transport of spirit in a container bearing Reg. no. UP21DT7812.
During the raid at Sugam Parivahan Pvt. Ltd., three persons
namely Jitendra Kumar, Bhup Singh, and Md. Mustafa were
caught, and 1000 liters of spirit were recovered from the
container. On interrogation, Bhup Singh disclosed that
Kaushtabh Mittal, Rakesh Kumar, Murat Sah alias R.K. Goyal,



and Manish Goyal were also involved. Accordingly, a case was registered and investigation started.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case solely on the basis of the confessional statement of co-accused Murat Sah. He next submits that petitioner was not apprehended from the spot, nor any incriminating material recovered from his conscious possession. The alleged recovery of 1000 liters of spirit pertains to container bearing Reg. no. UP21DT7812, with which the petitioner has no concern. The petitioner is neither the owner nor the driver of the container. He further submits that co-accused persons namely Md. Mustafa, Jitendra Kumar @ Jitendra Kumar Singh, and Anand Kumar Thakur have been granted regular bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 11142 of 2025, Cr. Misc. No. 14390 of 2025 and Cr. Misc. No. 15997 of 2025, vide order dated 21.03.2025, 27.03.2025 and 02.04.2025, respectively.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that spirit has been recovered which can be used in manufacturing of illicit liquor and the petitioner is having five criminal antecedent of similar nature of offence, I am not inclined to grant the



petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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