

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66317 of 2025

Arising Out of PS. Case No.-398 Year-2025 Thana- MALSALAMI District- Patna

Anil Kumar S/o Govardhan Prasad RO- Simli Nawabganj, Mahavir Mandir,
PS- Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-09-2025 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 Malsalami Police Station Case No. 398 of 2025, dated 01.08.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution story, as per the written report, is that on 01.08.2025, at about 16:40 hrs, while vehicles checking near Bazar Samiti More, the police intercepted one e-rickshaw, bearing Reg. No. BR01SV-3648. The driver, namely, Shudhanshu Kumar, was apprehended while he was trying to flee. On search, 91.08 liters of foreign illicit liquor, kept in four cartons, were recovered.
4. Learned counsel for the petitioner submits that he has not



committed any offence in the manner alleged and he has false been implicated in the present case merely because he happens to be the registered owner of the said vehicle. He next submits that the e-rickshaw, from where illicit liquor has been recovered, is a commercial vehicle which was being plied on hire basis by driver Shudhanshu Kumar, who was arrested from the place of occurrence, and the petitioner had no knowledge about the illicit liquor being kept therein. The petitioner has got no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has been made accused only because he happens to be the registered owner of the vehicle, which was being plied by arrested co-accused on hire basis, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each



to the satisfaction of learned Exclusive Special Court of
Excise, Patna City, Patna, in connection with Malsalami
Police Station Case No. 398 of 2025, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

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