

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67911 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- KOTWALI District- Munger

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Krishna Kumar @ Krishna Sah S/O Deepak Sah R/O Mohalla- Kila Mushari,
P.S.- Kotwali, Dist.- Munger. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kotwali P.S. Case No. 161 of 2025, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, during vehicle checking, a motorcycle was coming on which two persons were riding carrying a bag on his back. On seeing the police team, they tried to escape but one co-accused, namely, Manish Kumar was apprehended who disclosed the name of fleeing person as Badal Kumar. There is recovery of 29.88 litre of foreign liquor from the bag kept on the motorcycle. The apprehended person disclosed that the said liquor was to be delivered to the petitioner and Pintu Kumar.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case.



No incriminating material has been recovered from his conscious possession. Petitioner was neither present on the spot nor he has any concern with the seized liquor or with the motorcycle or with the accused persons. Except the disclosure statement of co-accused, there is no material against the petitioner to show his involvement in the offence. Petitioner has three criminal antecedents out of which one belongs to Excise Act. He undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the Petitioner, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Munger in connection with Kotwali P.S. Case No. 161 of 2025, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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