

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72490 of 2025

Arising Out of PS. Case No.-240 Year-2020 Thana- ALAMGANJ District- Patna

Sonu Kumar @ Sonu S/o Telu Sao @ Dhelu Sao Resident of Mohalla -
Bakariya Tola, P.S - Alamganj, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Prasad

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Alamganj P.S. Case No. 240/2020 registered for the offences punishable under Sections 186 / 188 / 269 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 91.62 liters foreign liquor alongwith one motorcycle from the coast of the Ganga river. Apprehended co-accused Anshu Kumar disclosed the name of the petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present with the alleged occurrence. The petitioner bears no criminal antecedent. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. He orally submits that the petitioner is not the owner of the said motorcycle. The petitioner is not in any way connected with the alleged occurrence. Seizure list has not been prepared as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the name of petitioner finds place in the FIR and the petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise, Patna City in connection with Alamganj P.S. Case No. 240/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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