

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82676 of 2025**

Arising Out of PS. Case No.-111 Year-2021 Thana- GOPALPUR District- Gopalganj

Mohan Kumar Son of Rajendra Rai Village -Lalu Chhapra Police station
-Paru District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER**

2 10-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gopalpur P.S. Case No. 111 of 2021, F.I.R dated 11.06.2021 registered for the offences punishable under Sections 420/467/468/471/34 of the I.P.C and 30(a), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 11-06-2021, during vehicle checking, PSI Krishna Kumar (SHO, Gopalpur P.S., Gopalganj) intercepted a truck coming from Uttar Pradesh bearing registration number UP-25AT-0478 (original HR-69A-4723). Two individuals attempting to flee were apprehended and identified as Shamsheer Singh (driver) and Vajendra Singh



(cleaner).A search of the truck, conducted in the presence of witnesses, led to the recovery of 3,492 bottles of India-made foreign liquor, and a seizure list was prepared. The apprehended individuals stated that the liquor had been loaded at Sapla Market, Bhaprauda P.S., Ashoda, District Jhajjar (Haryana), and was being transported to Patna at the direction of co-accused Manjit @ Pahalwan, who coordinated the delivery through mobile numbers 90507-77977 and 95340-47374.

4. Learned counsel for the petitioner submits that by referring the statement made in para 7 submits that merely on the basis of the suspicion/assumption that the owner of the alleged mobile numbers 90507-77977 is the brother of this petitioner, the name of the petitioner has transpired in this case. Whereas, the petitioner has categorically denied that said person is his brother. However, the seized article to the tune of 3492 litres of India made foreign liquor is said to have been recovered from the truck, which does not belong to this petitioner and is in no way connected with this petitioner. It has next been submitted that the petitioner has clean antecedent with no FIR in his name as accused in this case and his name has surfaced during the course of investigation and as also from the confessions of apprehended accused persons, who have been



granted regular bail by Annexure-2.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and considering the aforesaid fact that this petitioner is only been implicated in this case merely on the basis of suspicion, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-IV-cum-Exclusive Special Judge, Excise Court-II in connection with Gopalpur P.S. Case No. 111 of 2021 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

abhishekk/-

U		T	
---	--	---	--

