

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84233 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- KARPURIGRAM District- Samastipur

Navin Kumar S/o Late Mantun Ray @ Late Mantu Rai Resident of Village-
Pokhraira, P.S.- Muffasil, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Karpoorigram P.S. Case No. 107 of 2025, F.I.R dated 20.09.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on the alleged date of occurrence, during routine patrolling, the informant noticed unusual movement of several persons and reached the place of occurrence, where all the accused persons allegedly managed to flee. It is further alleged that the local chaukidar identified the petitioner and other accused persons as the persons who fled away. Thereafter, one motorcycle was seized and 518.400 litres



of illicit liquor was allegedly recovered from an orchard, on the basis of which the present F.I.R. was lodged.

4. Learned counsel for the petitioner submits that the recovery has been made from orchard which is open place and that place does not belong to this petitioner, and the motorcycle which was found lying near the orchard also does not belong to this petitioner. However, petitioner is fairly submitted that he has two antecedents to his credit though being akin to the instant case, but he is on bail in both the cases. Without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs.10,000/- (Rupees Ten Thousand) in the welfare account of Advocate Association, Patna High Court, Patna.

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, be that as it may, considering the aforesaid the fact that the recovery has been made from open place, and petitioner is no way connected with the said place from where recovery is made, 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 Sri Basant Kumar, Exclusive Special Judge Excise – I, Samastipur in connection with Karpoorigram P.S. Case No. 107 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023, and on production of the receipt showing deposit of Rs. 10,000/- (Rupees Ten Thousand) as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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