

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4195 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Nitish Kumar Nirala S/o Ram Sundar Ray R/o Village- Hakimabad, P.S.- Mufassil, District- Samastipur
 2. Sujeet Kumar @ Sujit Kumar S/o Devendra Ray R/o Village- Jitwarpur Chauth, P.S.- Mufassil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raushan Raj
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-03-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Mufassil P.S. Case No. 272 of 2024 dated 27.07.2024 registered under Sections 30(a) of the Bihar Prohibition and Excise (Amended) Act 2022.

3. As per the first information report the Police on secret information intercepted one white colour Scorpio vehicle bearing registration no. BR-1AG-9266 at Bishanpur Hakimabad but three persons occupying the vehicle upon seeing the Police party fled away. Upon search, a total quantity of 269.64 liters of foreign liquor has been recovered from the said vehicle.

4. Learned counsel for the petitioners submits that petitioners



are innocent and they have falsely been implicated in this case. The name of petitioners surfaced in this case on the identification made by local Chaukidar. The Scorpio vehicle in question does not belong to the petitioners and the owner of the said vehicle is one Ajit Kumar. The illicit liquor has not been recovered from the conscious possession and / or vehicle belonging to the petitioners.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that the petitioner no. 1 has four criminal antecedents and the petitioner no. 2 has one criminal antecedent of similar nature of offence, accordingly, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected.

(Anil Kumar Sinha, J)

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