

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85975 of 2025

Arising Out of PS. Case No.-283 Year-2025 Thana- Excise P.S. District- Bhagalpur

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Mritunjay Kumar @ Mirtunjay Kumar S/O Mani Kant Choudhary Resident of
Singhpur Maujma, Sihpur, P.O- Narayanpur, P.S- Bhawanipur, Bhagalpur,
Bihar- 853203.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyan Abhinav

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-12-2025 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Excise Sadar (Bhagalpur) Police Station Case No. 283
of 2025, dated 03.09.2025, disclosing offences under
Sections 30(a) and 47 of the Bihar Prohibition and Excise
Act.
3. That the prosecution case, as per the First Information
Report, is that on 03.09.2025, the police, on the basis of
secret information that a Mahindra Scorpio, carrying
illicit liquor, is coming from Lodipur and going towards
Navgachhiya, reached at the place of occurrence and
intercepted a white coloured Mahindra Scorpio, bearing



registration no. BR-11Y-3088, near Jichho Pokhar. Upon search, a total of 106.125 liters of illicit foreign liquor was recovered. The driver disclosed his name as Hero Kumar.

4. Learned counsel for the petitioner submits that the petitioner has been accused on the basis of the fact the is the registered owner of the vehicle, in question. He next submits that the vehicle, from where illicit liquor has been recovered, is a commercial vehicle and the same was being plied by the driver on hire basis and petitioner had no knowledge that the driver was transporting illicit liquor from the vehicle belonging to him. He further submits that petitioner has been undergoing dialysis as would be evident from Annexure-3.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the aforesaid defence and the fact that the petitioner has been undergoing dialysis, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/-
(Ten Thousand) each with two sureties of the like amount
each to the satisfaction of learned Additiional Sessions
Judge IX, Bhagalpur, in connection with Excise Sadar
(Bhagalpur) sP.S. Case No. 283 of 2025, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

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