

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2593 of 2025**

Arising Out of PS. Case No.-150 Year-2019 Thana- KATRA District- Muzaffarpur

Satyanarayan Prasad @ Satya Narayan Mahto S/o Sri Ram Chandra Prasad
R/o Village- Jajuar Tola laxmipur, P.S. Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Nawal Kishor Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

- 3 13-02-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Katra PS case no. 150 of 2019, disclosing offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 38(1) of Bihar Prohibition and Excise Act, 2016.
3. The prosecution story, as per the First Information report, is that on 26.06.2019, police received secret information that illicit liquor was loaded in village-Angoa, reached at the place of occurrence and saw that two persons were apprehended by the villagers, as they were involved in delivering illicit liquor by a tempo and petitioner



is the owner of the said tempo. Total 18 liters of illicit foreign liquor was recovered from the tempo and was seized. The apprehended persons disclosed their names as Nitish Kumar and Sanjeev Kumar and further disclosed that liquor belongs to Sawan Thakur and Pravin Thakur and on their instruction, they were going to deliver liquor at the house of Pravin Thakur.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused mainly because he happens to be the registered owner of the tempo in question. He further submits that the tempo being a commercial vehicle was being plied on rental basis and the petitioner was not aware about the illicit liquor being carried in the same. He also submits that the persons who were carrying the liquor were apprehended on spot. The petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the justification given by the petitioner as also the fact that he is having no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.



7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise Court No. III, Muzaffarpur in connection with Katra PS case no. 150 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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