

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87708 of 2025

Arising Out of PS. Case No.-352 Year-2025 Thana- DIGHWARA District- Saran

1. Sonu Kumar S/o Shiv Mahto @ Shivjee Mahto Resident of village - Hemantpur, P.s.- Dighwara, Distt.- Saran, Chapra
2. Deepak Kumar @ Chunnu Kr. S/o Shiv Mahto @ Shivjee Mahto Resident of village - Hemantpur, P.s.- Dighwara, Distt.- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dighwara P.S. Case No. 352 of 2025, dated 08.09.2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, on a tip off about the sale of illicit liquor the police conducted raid on 08.09.25 at Ambedkar Chowk, Dighwara, from where four persons started running after seeing the police force, out of which the police apprehended two persons, who disclosed their names as Sonu Kumar and Rohit Kumar and also disclosed before police that they were purchasing liquor from Sonu Kumar and Deepak Kumar and were about to move on



motorcycle bearing Registration no. BR-31AU-3689, but were apprehended by the police and Sonu and Depak fled away. The police recovered and seized 11.7 liters of foreign liquor from the said motorcycle and one mobile set each from the apprehended persons and accordingly seizure list was prepared and the F.I.R. was registered.

4. Learned counsel for the petitioners submits that the motorcycle bearing Registration No. BR-31AU-3689 was being driven by Rohit Kumar and Sonu Kumar, from where 11.6 liters of foreign liquor is said to have been recovered. The name of the petitioners have transpired on the confessional statement of co-accused. Petitioner no. 1 has one antecedent, while the petitioner no. 2 has 3 antecedents and are on bail.

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 petitioners and the name of the petitioners have transpired on the confessional statement of co-accused, who have already been taken in judicial custody and no incriminating material is said to have been recovered from from them, accordingly, this Court is inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on



anticipatory bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Court Excise Act-1, Saran at Chapra in connection with Dighwara P.S. Case No. 352 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

pravinkumar/-

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

