

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.325 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Suman Kumar @ Suman Kumar Mahato S/O- Jwahar Mahato @ Jawahar
Mahto Village- Jasauli @ Jasoli Ojha Tola Ps- Kathaiya Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Sahebganj P.S. case No. 97 of 2024 registered under Section 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 3615 liters liquor was recovered from six different vehicles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent. No incriminating material has been recovered from the conscious possession of the petitioner. The name of the petitioner has



transpired on the basis of confessional statement of co-accused Aniket Kumar and Roushan Kumar. The petitioner is neither the owner nor the driver of any of the six vehicles in question. The petitioner has got no knowledge and concern with the alleged recovery of liquor. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Sahebganj P.S. case No. 97 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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