

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11940 of 2025**

Arising Out of PS. Case No.-817 Year-2024 Thana- Excise P.S. District- Nawada

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Anil Rajbanshi S/o- Arjun Rajbanshi Resident Of Village- Jobkala Ps- Rajauli  
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

ORAL ORDER

2      25-02-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Excise  
P.S. Case No. 817 of 2024 instituted for the offences punishable  
under Section 30(a), 30(c) of the Bihar Prohibition and Excise  
Act.

3. The prosecution case, in short, is that total 400 litres  
of liquor has been recovered from four jute sac. It is further  
alleged that 17500 Kg Mahua jawa was destroyed at the spot.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case. No  
incriminating article has been recovered from the conscious  
possession of the petitioner rather the recovery has been made



from an open place. Petitioner was not apprehended on the spot. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 12.12.2024 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 817 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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