

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12636 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- Kadirganj P.S. District- Nawada

Rahul Kumar @ Raja Babu @ Raban @ Rahul Kumar Gupta S/O Gopal Halwayi @ Gopal Prasad R/O Village- Kadirganj, P.S- Kadirganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Kadirganj P.S. Case No. 338 of 2024 dated 30-12-2024 instituted for the offence punishable under Section 31(a) & 41 of the Bihar Prohibition and Excise Act.

3. The allegation is of the recovery of 53.855 liters of illicit foreign liquor from the possession of co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that no illicit liquor was recovered from the conscious possession of the petitioner. The petitioner has been made an accused only on the basis of the confessional



statement of the co-accused, namely Vijay Kumar. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kadirganj P.S. Case No. 338 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court- I, Nawada, subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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