

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13546 of 2025

Arising Out of PS. Case No.-123 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Raja Bind Son of Kartik Bind Resident of Village- Mano English, P.S.- Suraj-
garha, Distirct- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shaukat Alam, Adv.

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case regis-
tered for the offences punishable under Section 30(a), 32, 41,
56(a), 56(b) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. The recovery of total 120 litres of *mahua* liquor has
been shown from a sack kept on a motorcycle which was al-
legedly being driven by one Bikash Kumar who was arrested on
the spot while the pillion rider, who is the present petitioner,
managed to flee away.

4. Learned counsel for the petitioner submits that the al-
legation levelled against the petitioner is not correct and as a



matter of fact, he was not riding the said motorcycle. It is further submitted that no recovery was made from his physical and conscious possession. His name has surfaced in the present case on the basis of the confessional statement of the apprehended co-accused Bikash Kumar before police and besides the said fact, there is no other material available to connect him to the present offence. It is next submitted that petitioner will neither abscond nor tamper with the evidence rather will cooperate in the investigation.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the fact that there is no recovery from physical and conscious possession of the petitioner and also that he has no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four 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 Additional and District Judge Vth-cum-Special Excise Court IInd, Lakhisarai in connection with Excise P.S. Case No.123c2 of 2021, subject to the condition as laid down under Section 438 (2) of the



Cr.P.C/ 482 (2) of the BNSS, 2023 and the further condition that the learned Court below would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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