

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20963 of 2025**

Arising Out of PS. Case No.-38 Year-2024 Thana- Paura District- Khagaria

Rakesh Sharma @ Rakesh Kumar Sharma @ Rakesh Kumar S/O Rupan  
Sharma Resident of Village- Paharpur, PS- Narayanpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      23-04-2025                      Heard learned counsel appearing on  
behalf of the petitioner and learned Additional  
Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner is named in  
the F.I.R. and apprehended his arrest in connection  
with Paura P.S. Case No. 38 of 2024 registered for  
the offences punishable under Sections 30 (a) and  
32(3) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is  
to be engage in illegal trading/manufacturing of  
illicit liquor, where, there is recovery of 64.80 litres  
of IMFL/country made liquor.

4. Learned counsel appearing on behalf



of the petitioner submitted that name of petitioner transpired in the present case on the basis of disclosure as made by apprehended co-accused namely Dablu Kumar. It is submitted that recovery not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge 1<sup>st</sup> Khagaria/concerned Trial Court where the case is



pending in connection with Paura P.S. Case No. 38  
of 2024 subject to the conditions as laid down  
under Section 438(2) of the Cr.P.C./Section 482(2)  
of the BNSS.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

