

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23647 of 2025

Arising Out of PS. Case No.-51 Year-2021 Thana- KARAHGAR District- Rohtas

Abhishek Kumar S/O Manoj Kumar Rai R/O- Fakila, P.S- Kargahar, District -
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Karghar P.S. Case No. 51/2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 66.780 liters illicit liquor alongwith 30 liters spirit from the Dalan of co-accused Manoj Kumar Rai. It is alleged that there is alleged recovery of 17.280 liters illicit liquor from the Swift Dezire vehicle in question. It is further alleged that the name of petitioner transpired in this case as an owner of the said vehicle in question.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He orally submits that the petitioner is not named in the FIR and the name of petitioner dragged in this case on the basis of the ownership of the said vehicle in question. He orally submits that the petitioner was pursuing his study in Civil Engineering from Panjab State Board of Technical Education and Industrial Training and he has secured First Division and he has submitted the Certificate as mentioned in Annexure-P/2 of the bail petition. He further submits that the petitioner has bright career and prudently and pragmatically inference cannot be drawn that the petitioner is in any way connected with the alleged occurrence. Co-accused Manoj Kumar Rai who is father of the petitioner was apprehended on the spot and his name has been surfaced in this case just because of the owner of the said vehicle in question. He further submits that the petitioner is not present at the place of occurrence and nothing has been recovered from the conscious possession of the petitioner. The petitioner has nothing to do with the alleged occurrence. In the light of aforesaid facts and circumstances of the case, no offence is made out against the petitioner under the Provision of Bihar



Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner by submitted that the petitioner is registered owner of the said vehicle in question.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No.1, Rohtas at Sasaram in connection with Karghar P.S. Case No. 51/2021, subject to the conditions as laid down under Section 482(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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