

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27400 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- OBRA District- Aurangabad

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Brajesh Kumar Singh @ Brajesh Kumar S/O Ramkeshwar Singh R/O
Village- Muradpur, P.S- Phesar, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms .Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-05-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The petitioner apprehending his arrest in connection with Obra P.S. Case No. 108 of 2025 for the offence punishable under Section 30(a) and 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution, a total of 40.5 litres of Indian Made Foreign Liquor is subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is further submitted that the petitioner has been implicated solely on the basis of a disclosure made by the local *chaukidar* regarding the alleged recovery of illicit liquor from a shop. Learned counsel further submits that the said shop is registered



in the name of one Madan Saw and not in the name of the petitioner. Moreover, it is submitted that no recovery has been made from the conscious possession of the petitioner. However, the petitioner is an accused in another case of a similar nature.

5. The learned APP for the State opposes the prayer for bail and submits that the petitioner is accused in one other case of similar nature.

6. Considering the fact that the petitioner is accused in one more case of similar nature, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is hereby directed to the petitioner to surrender before the Trial Court within a period of four weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering that whether ingredients of Excise Act is without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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