

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26481 of 2025**

Arising Out of PS. Case No.-63 Year-2024 Thana- Kadwa District- Bhagalpur

Raj Kamal Singh S/o Sri Lal Singh R/o Vill- Patherdih, P.S.- Sudamdih, Dist-  
Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar Mishra  
For the Opposite Party/s : Mrs. Rita Verma

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      07-05-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kadwa P.S. Case No. 63/2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 45 liters illicit foreign liquor from the Maruti car in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears no criminal antecedent. The petitioner is not named in the FIR and the name of petitioner has been transpired in this case during course of investigation as an



owner of the said car in question. The petitioner had given the said car to the driver on rent which is evident from the photo copy of Notary affidavit as annexed at Annexure-2 & 2A of the bail petition. The petitioner was not found on the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

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 Court of learned Additional Sessions Judge-IX cum Special Excise Court no.01,



Bhagalpur in connection with Kadwa P.S. Case No. 63/2024,  
subject to the conditions as laid down under Section 482 (2) of  
the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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