

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32353 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- RAJGIR District- Nalanda

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Goloo Kumar @ Golu Kumar @ Rahul Kumar S/o Ravi Kumar Resident of
Village- Panditpur, P.S.- Rajgir, District- Nalnada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Rajgir P.S. Case No. 126 of 2025 registered for the offences punishable under Sections 30(a) and 37 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, informant received secret information that liquor party is being conducted in Room No. 02 of Rajgir Inn Hotel situated on Biharsharif Road. Thereafter, informant alongwith police officials reached at the spot. On seeing the police, the manager of the said hotel fled away from the place of occurrence. Further, four males and two females were apprehended and altogether 900 ml foreign liquor was recovered from the place of occurrence.



4. Learned counsel for the petitioner submits that name of the petitioner has been surfaced in this case as the manager of the said hotel. He further submits that petitioner's role is limited to manage the day-to-day affairs of the hotel and he had no knowledge that such type of illegal activity was being carried out by the guests in the hotel room. He further submits that apprehended co-accused persons have misused the place of occurrence for consuming liquor. Petitioner was not found at the place of occurrence. He further submits that petitioner has no concern with the seized liquor. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. He has nothing to do with the alleged occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that petitioner has falsely been implicated in the present case merely on the basis of suspicion. Petitioner bears criminal antecedent of four cases in which he is on bail. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

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



6. Considering the facts and circumstances of the case, 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 Principal Special Judge Excise – II, Nalanda at Bihar Sharif in connection with Rajgir P.S. Case No. 126 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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