

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33283 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- GARDANIBAG District- Patna

Abhiraj Kumar @ Sunny Kumar S/O Late Vijendra Ray @ Bijendra Yadav @
Bijendra Ray R/O New Yarpur Janta Road, P.S.-Gardanibagh, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025

Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Gardanibagh P.S. Case No. 101 of 2025 registered for the offences punishable under Section 30(a), 36 of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 64.500 liters of country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that as per seizure list the recovery of illicit liquor was made from *Khatal* (cattle shed) which was admittedly in the possession of one Balram prasand and on his disclosure only petitioner implicated with present case. It is



submitted that admittedly recovery of illicit liquor was not made from the physical possession of this petitioner who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of 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 petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise 1st, Patna / concerned Court, where the case is pending in connection with Gardanibagh P.S. Case No. 101 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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