

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33365 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- PAUTHU District- Aurangabad

Nagendra Kumar, S/o Seeta Ram Mali, R/o Village- Itar, Temura, P.S.-
Pauthu, District- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Pauthu P.S. Case No.8 of 2025 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 48 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that petitioner implicated with present case only for the reason that he is the owner of the Hero Splendor Plus motorcycle bearing Registration No. BR26X9664, which found involved in carrying of illicit liquor. It is submitted that admittedly the alleged



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

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on 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, Second, Aurangabad (Bihar) in connection with Pauthu P.S. Case No.8 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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