

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34119 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- TELHARA District- Nalanda

Raj Kishor Prasad S/o Suresh Prasad R/o Vill.- Ranipur (Khurd), P.S.-
Telhara, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Telhara P.S. Case No. 33 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, there is alleged recovery of 10 liters illicit country made liquor from the Glamour Motorcycle bearing Reg. No. BR-21J-0336.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. His name has surfaced as the owner of the Glamour Motorcycle in question. Petitioner is innocent and has committed no offence as alleged in the first information report. Petitioner had parked his motorcycle in front



of a shop beside the road and went to deliver food to the labourers working in his field, in the meantime, due to rural animosity, a case of liquor recovery from petitioner's motorcycle was registered at the behest of some antisocial elements. Petitioner is not in any way connected with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner bears no criminal antecedent. 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 vehemently opposes 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Principal Special Judge Excise II, Nalanda at Bihar Sharif in connection with Telhara P.S. Case No. 33 of 2025, subject to the



conditions as laid down under section 482(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

mcverma/-

U		T	
---	--	---	--

