

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36346 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- MAHUA District- Vaishali

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Randhir Kumar S/O Ramesh Ray Resident of village- Parmanandpur Lal
ward No. 14, Chhitrauli, P.S.- Mahua, Dist.- Vaishali. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Pratima Kumari, Adv.
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-06-2025 Heard Ms. Pratima Kumari, learned counsel for the
petitioner and Mr. Tapeswar Sharma, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Mahua P.S. Case No. 291 of 2025 dated 03.03.2025 registered
for the offence punishable under section 30(a) of the Bihar
Prohibition & Excise Act (in short 'Excise Act').

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of illicit
country-made liquor from two places and from the alleged places,
some accused persons were apprehended but the petitioner's role in
the recovery of the alleged liquor or in any other manner, did not
come out and he has been made accused mainly on account of his
motorcycle being found at the alleged second place of recovery and
except this, there is no material to show the petitioner's involvement
in the alleged recoveries of liquor and the alleged offence of the
Excise Act does not attract against this petitioner even *prima facie* as
merely on the basis of the presence of petitioner's motorcycle at the



alleged place which admittedly does not belong to the petitioner, he can not be held liable for the recoveries of liquor. It is further submitted that the petitioner has fair and clean antecedent and has never remained involved in any kind of activity prohibited under the Excise Act and the accused persons, who were apprehended at the spot, did not reveal the petitioner's name as being involved in storing of the alleged liquor or manufacturing of the same.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions advanced by petitioner's counsel, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Mahua P.S. Case No. 291 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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