

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39625 of 2025**

Arising Out of PS. Case No.-621 Year-2024 Thana- SUPAUL District- Supaul

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Rakesh Kumar S/o Ganilal Yadav Resident of Chandpipar, Ward No.12, Post-  
Chandpipar, P.S.- Bhaptiyahi, Distt- Supaul (Bihar), PIN- 852105

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                    |
|----------------------------|---|------------------------------------|
| For the Petitioner/s       | : | Mr. Virendra Kumar, Advocate       |
|                            |   | Mr. Dr Pranav Kumar, Advocate      |
| For the Opposite Party/s : |   | Mrs. Indu Kumari Srivastava, A.P.P |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      25-06-2025                      Heard Learned counsel for the petitioner and Learned  
APP for the State.

2. The petitioner is apprehending arrest in connection  
with Supaul P.S. Case No. 621 of 2024 lodged on 21.09.2024,  
for the offence punishable under Section 30(a) of the Bihar  
Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 57.75 litres  
of foreign liquor has been made which is the subject matter of  
the present case.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. Counsel  
submits that the recovery of alleged foreign liquor has been  
made from the vehicle of the petitioner which was taken by his  
friend and the petitioner was completely unaware about the fact  
that his friend has taken his vehicle for illegal purpose. Counsel



submits that the petitioner was not apprehended from the place of occurrence. Counsel further submits that the petitioner has no criminal antecedent and no ingredients of Excise Act is made out against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Exclusive Special Excise Court no.1, Supaul, in connection with Supaul P.S. Case No. 621 of 2024, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

**(Dr. Anshuman, J)**

Divyansh/-

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