

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35298 of 2025**

Arising Out of PS. Case No.-116 Year-2025 Thana- Excise P.S. District- Lakhisarai

Raushan Kumar @ Dhuro Son of Ramjappu Singh Resident of village -  
Rampur, Ward No.- 10. P.S.- Surajgarha, District – Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      28-05-2025                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 116C2/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, the informant got secret information that the petitioner is selling illegal liquor from his house. On the said information, the informant and police party reached at the place of occurrence and recovered 1.800 liters english wine from the adjacent land of the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR. Name of the petitioner has been transpired in this case on the basis of secret information and the source of secret information has not been divulged in the FIR and the petitioner cannot be held liable for the alleged occurrence. The petitioner bears no criminal antecedent. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not the owner of the said land in question. The petitioner is not in any way connected with the alleged occurrence. Seizure list has not been prepared as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed 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 his arrest or surrender before the learned trial court within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned Additional Sessions Judge-II cum Exclusive Special Court No.2, Excise Act, Lakhisarai in connection with Excise P.S. Case No. 116C2/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

**(Alok Kumar Pandey, J)**

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