

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37820 of 2025

Arising Out of PS. Case No.-1073 Year-2024 Thana- SONEPUR District- Saran

Rakesh Kumar @ Rakesh Rai S/o Raj Narayan Rai R/o Village- Sabalpur
Chaharam, P.S.- Sonpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate
For the State : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, 26.25 litres illicit foreign
liquor and 1530 litres illicit country made liquor was recovered
from the bank of river *Ganga*.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. No incriminating article has been
recovered from conscious possession of this petitioner and he
has falsely been implicated in this case merely on suspicion. The
alleged illicit liquor has been recovered from an open place,



which is accessible to one and all.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of illicit liquor was recovered. Petitioner has got three criminal antecedents out of which two are of similar nature.

6. Considering the nature of accusation, recovery of huge quantity of illicit liquor and fact that petitioner has got three criminal antecedents out of which two are of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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