

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42156 of 2025

Arising Out of PS. Case No.-127 Year-2021 Thana- ASANWA District- Siwan

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Arun Kumar Kushwaha @ Arun Kumar @ Arun Kumar Bhagat S/O Vijay
Bhagat Resident Of Village- Pipra, PS- Asaon, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-07-2025 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 Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 36 litres illicit country made liquor was recovered from a motorcycle of which this petitioner is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case merely because he happens to be owner of the vehicle in question. Nothing has been recovered from the conscious possession of this petitioner.

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 liquor was recovered from the vehicle of which this petitioner is registered owner. Petitioner has got two criminal antecedents of similar nature.

6. Considering the nature of accusation, fact that huge quantity of illicit liquor was recovered from the vehicle of which this petitioner is registered owner and criminal antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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