

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36875 of 2025

Arising Out of PS. Case No.-374 Year-2022 Thana- KADAMKUAN District- Patna

Raju Kumar @ Raju Mafiya S/o Bharat Prasad @ Bharat Lal, R/o Mohalla-Daldali, Salimpur Ahra Gali No. 2, P.s.- Gandhi Maidan, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party/s : Ms. Sharda Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 15-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kadamkuan P.S. Case No.374 of 2022 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 86.4 litre illicit foreign liquor from a cartoon covered with polythene near the Park road, Kadamkuan, Patna and it is alleged that the said illicit liquor was kept by the petitioner with co-accused Suryakant Kumar @ Shrikant Kumar.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case with ulterior motive only on the basis of suspicion. He further submits that the petitioner was neither present on the spot nor he has any concern with the alleged seized liquor or the



place of occurrence. Learned counsel submits that the alleged recovery of liquor has been made from an open place which is accessible to public at large. He further submits that no incriminating article has been recovered from the conscious possession of petitioner. Learned counsel submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Patna in connection with Kadamkuan P.S. Case No.374 of 2022, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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