

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38892 of 2025

Arising Out of PS. Case No.-503 Year-2025 Thana- ALAMGANJ District- Patna

Rahul Kumar S/O Dhelu Sav Resident of Mohalla - Bakariya Tola, Near Masjid, P.S.- Alamganj, Dist -Patna.

... .. Petitioner/s

Versus

The state of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Prasad, Advocate
For the State : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioner seeks bail, apprehending his arrest, in connection with Alamganj P.S. Case No. 503 of 2025, dated 05.05.2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 8.64 litre of illicit liquor has been recovered from a dilapidated house near a mosque and as per further case of the police, as per confessional statement of co-accused of Sonu Kumar, the petitioner and another co-accused, whose name is also Sonu Kumar, used to sell the illicit liquor from the place of recovery.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is no way involved in the alleged offence and nothing has been recovered from his possession or from his house. As such, there is no cogent material against the petitioner and hence, no case is made out against the petitioner under the Excise Act and the present anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection



with Alamganj P.S. Case No. 503 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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