

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43660 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- KASBA District- Purnia

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Gopal Raout S/o Gokhul Raout R/o Village- Phulwaria, Kasba, P.S.- Kasba,
District- Purnea Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumit Kumar Bhagat, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-07-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Kasba P.S. Case no.70 of 2025, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted, 46.5 litres of IMFL was recovered from the vehicle in question and the driver of the vehicle was taken into custody. The informant further states that on inquiry the driver of the vehicle stated that the incriminating article belonged to the three other named accused persons including the petitioner herein and he was transporting the same, as directed by them.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case on a



statement of a co-accused made before police. The petitioner has no concern either with the seized article nor with the vehicle in question. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, no incriminating article having been recovered from the petitioner’s possession, the only material against the petitioner being the statement of co-accused made before police and especially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kasba P.S. Case no.70 of 2025 on 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 Excise Judge (Court-I), Purnea.

(Partha Sarthy, J)

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