

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42582 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Rahul Kumar son of Manoj Kumar Resident of Village- Bhagwanpur Chouk
near NH-28, Sahara India, Police Station- Bhagwanpur, District-Muzaffarpur
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No. 105 of 2025 for the offence registered
under Sections 30 (a), 32(i), 32(iii), 41(i), 41(ii) of the Bihar
Prohibition & Excise Act.

3. As per the prosecution case, total 142.2005 litres of
foreign liquor recovered from the auto bearing Registration No.
RB-06GG-2881. It is alleged that the petitioner is the registered
owner of the seized auto.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case
being the registered owner of the seized vehicle in question. He
has no concern with the seized liquor. There is no incriminating
article recovered from the conscious possession of the petitioner.



Petitioner was not present at the place of occurrence. Co-accused Abhimanyu Kumar had taken the auto from the petitioner who has been arrested on the spot. Petitioner had no knowledge about the misuse of the auto by the co-accused Abhimanyu Kumar. Petitioner has one criminal antecedent in which he is on bail. Petitioner undertakes to cooperate in the investigation of this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court, Kaimur at Bhabua where the case is pending in connection with Excise P.S. Case No. 105 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Sunil Dutta Mishra, J)

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