

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43789 of 2025**

Arising Out of PS. Case No.-35 Year-2025 Thana- HASANGANJ District- Katihar

Radhe Shyam Kewat Son of Jugal Prasad Kewat Resident of Village -  
Tegachhiya, P.S.- Kadwa, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar, Advocate  
For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      16-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending arrest in connection  
with Hasanganj P.S. Case No. 35 of 2025 lodged on 03.04.2025,  
for the offence punishable under Section 30(a) of the Bihar  
Prohibition and Excise Act.

3. As per the prosecution, total recovery of 180 litres  
of illicit liquor has been made which is the subject matter of the  
present case.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. Counsel  
submits that nothing has been recovered from the petitioner's  
possession and the alleged recovery has been made from a  
vehicle. Counsel submits that the petitioner is the owner of the  
said vehicle and only due to this reason, petitioner's name has



figured in this case. Counsel submits that the petitioner was unaware about the fact that what is loaded in his vehicle as he has given his vehicle to his driver. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that from the record, it transpires that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Excise Court-II, Katihar, in connection with Hasanganj P.S. Case No. 35 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

**(Dr. Anshuman, J)**

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