

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43763 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- AMBA District- Aurangabad

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Kanchan Kumar S/O Lotahi Ram R/O Village- Bhanwar, P.O- Kharagpur,
P.S- Hariharganj, Distt.- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Amba PS Case No. 49 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. The prosecution case, in short, is that total 92 litres
of liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case as being owner
of one of the motorcycles in question. Learned counsel for the
petitioner, therefore, contends that *prima-facie* no case is made



out against the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 01-05-2025, passed in Cr. Misc. No. 28159 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amba PS Case No. 49 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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