

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45954 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- KARPURIGRAM District- Samastipur

Rahul Kumar @ Sri Rahul Kumar, Son of Sri Sanjit Sah @ Sanjeet Sah,
Resident of Village- Aadharpur Jogiyamath, Ward No.3, Police Station-
Karpoorigram, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 04-08-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner apprehends his arrest in connection
with Karpoorigram P.S. Case No.50 of 2025 registered under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2022.
3. As per the prosecution case, 27.75 liters of foreign
liquor were recovered from an Alto Car bearing Registration
No. BR-06Q-2681.
4. Learned counsel for the petitioner submits that the
name of the petitioner has transpired in this case on the
disclosure made by a local Chowkidar, who has inimical terms
with the petitioner. It has been submitted that as per the seizure
list the recovery has been shown from the roadside in front of



the house of the petitioner. It is stated that false recovery has been shown from the Alto car of which the petitioner is the owner. There is no independent witness of the seizure list, and hence mandatory provisions of search and seizure has been violated.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that petitioner has two criminal antecedents of a similar nature. In response, learned counsel for the petitioner submits that he is on bail in the said case.

6. At this stage, the petitioner has agreed to deposit an amount of Rs. 10,000/- in the account of Patna High Court Legal Services Committee, Patna bearing Account No. 1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

7. In view of the facts of the case, 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 Karpoorigram P.S. Case No.50 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 Judge, Excise-I, Samastipur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case till investigation is concluded against him.

(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(IV) The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Soni Shrivastava, J)

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