

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46212 of 2025

Arising Out of PS. Case No.-147 Year-2025 Thana- Excise P.S. District- Begusarai

Gulshan Kumar @ Saurav Kumar @ Saurabh Kumar @ Golu Kumar son of
Krishan Nandan Singh Vill -Chhitraur Nayagaunw Ps -Nayagaown Dist-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Begusarai PS Case No. 147 of 2025 instituted for the
offences under Sections 30(a) & 32(3) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 93.960
litres of foreign liquor was recovered from car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Petitioner has



allegedly fled away from the spot and apprehended co-accused disclosed the name of the petitioner. It is submitted that petitioner has no concern with the vehicle in question. The petitioner has got five criminal antecedents. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court *vide* order dated 15.05.2025 passed in Cr. Misc. No. 31848 of 2025.

5. Learned A.P.P. 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, taking into account two criminal antecedents of the petitioner that too of the similar nature, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner is hereby *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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