

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47542 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Kamlesh Kumar S/o- Vashishth Singh Village- Bhagwatipur Ps-
Udawanagar Dist-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate
For the State : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 42 litres illicit country made liquor was recovered from the seized motorcycle.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicles in question. No incriminating article has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on the basis of confessional statement of co-accused persons who were apprehended at the spot. Petitioner



has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, Bhojpur at Ara in connection with Udawantnagar P.S. Case No. 117 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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