

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52790 of 2025**

Arising Out of PS. Case No.-13 Year-2025 Thana- Excise P.S. District- Aurangabad

Niraj Kumar son Manoj Singh Village- Basekhap, Ps- Phesar, Dist-  
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      05-08-2025                      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 Sections 30(a), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, 40 litres of illicit liquor was recovered from the seized motorcycle of which co-accused, Binay Prasad is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicle in question and has been made an accused in this case merely on suspicion. Nothing has been recovered from the



conscious possession of this petitioner. Petitioner claims clean antecedents.

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, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, 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 Special Judge, Excise, Court No.-II, Aurangabad (Bihar) in connection with Aurangabad Excise P.S. Case No. 13 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

Neha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

