

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52255 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- JHAROKHAR District- East Champaran

Akhilesh Kumar @ Aklesh Kumar S/O- Shrvan Paswan @ Shrawan Paswan
R/O- W.No-1, Bhagwanpur Kotwa Ps- Ghorasahan Dist- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Jagdhari Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 12-08-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Jharokhar P.S. Case No.62 of 2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, the total recovery of 31.2 litres of *illicit* liquor have been alleged to be made from a sack thrown by the accused persons, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the spot and his name has been transpired only on confessional statement of co-accused namely, Raja Kumar. Counsel further submits that criminal antecedent of the petitioner is clean. He further submits



that nothing has been recovered from conscious possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No.3, Civil Court, East Champaran at Motihari, in connection with Jharokhar P.S. Case No.62 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. The Trial Court at the time of accepting the bail bond of the petitioner, shall verify the petitioner's criminal antecedents and if it is found that the petitioner has suppressed any fact regarding his/her criminal antecedents, he/she shall not be released on bail.

(Dr. Anshuman, J.)

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