

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52320 of 2025**

Arising Out of PS. Case No.-119 Year-2025 Thana- Raghunathpur District- East Champaran

Kundan Kumar @ Kundan Sah S/O Faguni Sah Resident Of Village- Shankar  
Saraiya, P.S. - Turkauliya, Dist.- East Champaran ... .. Petitioner/s  
Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate  
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2      01-08-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest in connection with Raghunathpur P.S. Case No. 119 of 2025 instituted for the offences under Sections 30(a), 41(1) and 52 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 273 litres of liquor was recovered from Car.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of disclosure made by apprehended co-accused person. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner,



therefore, contends that prima-facie no case is made out against the petitioner. The petitioner has one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Similarly situated other co-accused person has been granted regular bail by this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 43397 of 2025.

5. Learned APP 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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghunathpur P.S. Case No. 119 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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