

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53672 of 2025**

Arising Out of PS. Case No.-789 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Akhilesh Kumar @ Akhlesh Kumar S/o Late Jhamlal Paswan, R/o village-  
Basant Kharauna ward no. 14, P.S.- Kudhani, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      27-08-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection  
with Excise P.S. Case No.789 of 2025 instituted under Section  
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of  
569.37 litres foreign liquor from the house of co-accused  
Mukesh Kumar. It is alleged that petitioner fled away from the  
spot.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in this  
case. He further submits that the alleged recovery has been  
made from the house of co-accused Mukesh Kumar and  
petitioner has no concern with the alleged seized liquor or the



place from where the liquor was seized. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioner. He further submits that except the disclosure statement made by the co-accused Mukesh Kumar, there is no material against the petitioner. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Muzaffarpur in connection with Excise P.S. Case No.789 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

**(Sunil Dutta Mishra, J)**

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