

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53867 of 2025

Arising Out of PS. Case No.-227 Year-2025 Thana- RAFIGANJ District- Aurangabad

Babu Bhai @ Vishesh kumar Son of Late Ramanand Prasad R/O Village-
Abdulpur, Rafiganj, Ward No. 5, P.S.- Rafiganj, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2025 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 Section 30(c) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 200 kg of Mahua flowers were recovered from a three wheeler handcart.

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 on the basis of confessional statement of co-accused person, Naga Das. Nothing has been recovered from the conscious possession of this petitioner. Petitioner claims clean antecedent.



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 District and Additional Sessions Judge cum-Exclusive Special Judge, Excise Court No. 1, Aurangabad in connection with Rafiganj P.S. Case No. 227 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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