

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55632 of 2025

Arising Out of PS. Case No.-166 Year-2021 Thana- BITHAN District- Samastipur

Ram Udesb Kumar S/O Godhgir Yadav @ Jodhgir Yadav R/O Village -
Bhuidhar, Bhudhar, P.S - Bithan, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with
Bithan P.S. Case No. 166 of 2021 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1080 litres
of foreign liquor was recovered from four different vehicles.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that petitioner is neither the
owner nor the driver of any of the vehicles. Charge-sheet has
been submitted in this case. 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 no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Similarly situated co-accused person has been granted anticipatory bail by a Co-ordinate Bench vide order dated 25.08.2022 passed in Cr. Misc. No. 17894 of 2022.

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.15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bithan P.S. Case No. 166 of 2021, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

