

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56706 of 2025

Arising Out of PS. Case No.-1085 Year-2023 Thana- Excise P.S. District- Siwan

Rajesh Kumar Prasad S/o Chhotelal Prasad, Resident of Village- Mschhagsr
Jagdish Tola, Naya Bazar, Ps- Hathua, Distt.- Goplaganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Siwan Excise P.S. Case No.1085 of 2023 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 27 liter country made liquor from the tempo bearing Registration No. BR-29-PA-7657, of which petitioner is the owner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to being the owner of tempo. He further submits that the tempo in question is a public carrying vehicle which was driven by co-accused Rajesh Kumar Yadav who was apprehended on the spot. Learned counsel submits that the



petitioner was not present on the spot and no incriminating article has been recovered from his conscious. He further submits that petitioner had no knowledge about the misdeed of the co-accused. Learned counsel submits that 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 aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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, Court No.II, Siwan in connection with Siwan Excise P.S. Case No.1085 of 2023, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

Ritik/-

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

