

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54508 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- KASMA District- Aurangabad

Pramod Kumar S/O Mahendra Saw Village- Nalband Toli Ward No. 8, Purani
Sahar Daudnagar, P.S.- Daudnagar, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh, Adv.

For the Opposite Party/s : Ms.Rita Verma, APP

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Kasma P.S. Case No. 230 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the police has recovered total 410 liters of illicit liquor from four motorcycles out of which 105 liter of country-made liquor was recovered from the motorcycle bearing Regd. No. BR26U-0627.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



The petitioner is the registered owner of the alleged motorcycle bearing Regd. No. BR26U-062. The petitioner was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession or from his house. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. Accordingly, learned counsel for the petitioner submits that *prima-facie* no case is made out against the petitioner. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused persons have been granted regular bail by this Court vide order dated 24.02.2025 passed in Cr. Misc. No. 10509 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or 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 the learned court below where the case is pending/successor court in connection with Kasma P.S. Case No. 230 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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