

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54888 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Raushan Kumar Son of Satya Dev Sah Resident of village, P.O. and P.S.-
Bithan, District – Samastipur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

=====

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 Kusheshwarsthan P.S. Case No. 140 of 2025 instituted under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 87.060 litres of foreign
liquor was recovered from the Maruti Suzuki Car of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case
being the registered owner of the seized car. It was used by his
parents in the native house from whom the co-accused Narsingh
Yadav had taken the car stating that his wife was seriously ill and
he needed to urgently take her to Darbhanga for her treatment. Due
to humanity and good faith the petitioner's father gave him the said
car. The parents of the petitioner had no knowledge or concern for
misusing the said vehicle by the co-accused Narsingh Yadav who



has been arrested on the spot. The petitioner was neither present on the spot nor any incriminating articles has been recovered from the possession of the petitioner. Petitioner is government employee having no criminal antecedent. Learned counsel submits that no incriminating article has been recovered from the conscious possession of 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-II, (Excise Act), Darbhanga, in connection with Kusheshwarsthan P.S. Case No.140 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

Raj Ranjan/-

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

