

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61842 of 2025

Arising Out of PS. Case No.-213 Year-2025 Thana- TEGHRHA District- Begusarai

Hemant Kumar S/O Sultani Yadav @ Sultani Ray @ Ram Pravesh Yadav R/O
Village- Paigambarpur, P.S- Teghra, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Teghra P.S. Case No. 213 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 157.500 litre foreign liquor was recovered from water plant of Bittu Kumar and apprehended co-accused Rakesh Kumar disclosed the name of petitioner and other, who are involved in illegal trade of liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that



except disclosure of apprehended co-accused person, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. Section 103 of BNS has not been complied with. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Begusarai in connection with Teghra P.S. Case No. 213 of 2025, subject to the conditions as laid down under



Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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