

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54474 of 2025**

Arising Out of PS. Case No.-122 Year-2025 Thana- KAMTAUL District- Darbhanga

Rahul Sah @ Rahul Kumar Sah S/O Mahadev Sah Resident of Village-
Brahmpur, Police Station- Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 19-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends arrest in connection with
Kamtaul P.S. Case No.122 of 2025 instituted under Section
30(a) of the Bihar Prohibition and Excise Act.

3. It is alleged that on seeing the police, 20-25 persons
tried to flee away but on chase, one of the accused persons was
apprehended who disclosed his name as Ajay Kumar (driver of
the seized truck). There is total recovery of 4523.00 litres illicit
Indian made foreign liquor from the seized truck, pickup van
and hut.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Petitioner was neither owner of the truck nor the pickup van. The apprehended co-accused did not name the petitioner. Petitioner has no concern with the hut from where also the alleged recovery of illicit liquor was made. Nothing has been recovered from conscious possession of the petitioner. Petitioner has no concern with the seized illicit liquor. It is further submitted that inadvertently one criminal antecedent has been mentioned in the impugned order. There is no compliance of mandatory provisions of seizure of the illicit liquor. Except secret information, there is nothing material against the petitioner. Petitioner 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 counsels 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge -I (Excise Act), Darbhanga in connection with Kamtaul P.S. Case No.122 of 2025 subject to the conditions as



laid down under Section 482(2) of the Bharatiya Nagarik
Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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