

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54839 of 2025

Arising Out of PS. Case No.-882 Year-2023 Thana- AGAMKUAN District- Patna

Harish, (M), aged about 35 years, S/o Deepa Ram, R/o vill- Ghasida, Bhunka,
Bhooka Bhagat Singh, P.S.- Sindhari, Distt.- Barmer, Rajasthan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vinod Pandey, Advocate

For the Opposite Party : Mr. Nityanand, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Agamkuan P.S. Case No. 882 of 2023 dated 11.09.2023 registered for the offences punishable under Sections 30(a), 32(2)(3), 36 and 41(1)(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 6822 litres of illicit foreign liquor was recovered from the Truck, 216 litres of illicit foreign liquor was recovered from first Pick-up Van and 216 litres of illicit foreign liquor was also recovered from the second Pick-up Van which were parked in the Kurkure Packing Godown i.e., total 7254 litres of foreign liquor was recovered.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was not arrested on the spot. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The name of the petitioner has surfaced in the present case only because the petitioner is registered owner of the Truck bearing Registration No. RJ-39GA-4359 from which 6822 litres of illicit foreign liquor was recovered. It is further submitted that the petitioner has handed over the said Truck to his driver and the said truck was loaded with goods and when the goods were unloaded in the godown, in the meantime, police came and seized the said Truck and showed the recovery of the liquor. The petitioner had no knowledge about the alleged offence. It is further submitted that the other co-accused person, namely, Rajiv Kumar, has already been granted regular bail by a Bench of this Court in Cr. Misc. No. 63802 of 2024 vide order dated 04.09.2024, annexed as Annexure-P/3 to the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation against the petitioner, the petitioner, above named, in the event of his arrest or surrender within a period of six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Exise, Patna City in connection with Agamkuan P.S. Case No. 882 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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