

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57913 of 2025

Arising Out of PS. Case No.-482 Year-2025 Thana- FATUA District- Patna

Rahul Kumar @ Rahul Saw S/O Bharat Kumar @ Bharat Saw R/O Vill.-
Bankipur Gorakh, P.S.- Fatuha, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Pandey, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Sections 30(a) and 56(c) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, on the basis of secret
information, 3173.975 litres of illicit liquor was recovered from
the godown. Two persons were apprehended on the spot. Co-
accused Ahtasham Uddin, who is owner of the said godown,
disclosed that he gave the same on rent to this petitioner at Rs.
30,000/- per month.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Further
submission is that petitioner is neither the tenant of the godown



in question nor he has taken the same on rent from co-accused Ahtasham Uddin. Due to business rivalry, co-accused Ahtasham Uddin (owner of the godown) disclosed the name of the petitioner. Petitioner was not involved in the occurrence as alleged and he has no concern with the seized illicit liquor. Nothing has been recovered from conscious possession of the 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, Excise, Patna City in connection with Fatuha P.S. Case No. 482 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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