

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55237 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- EXCISE PATORI District- Samastipur

Rajesh Kumar Rai @ Rajesh Kumar Yadav S/o Brahmdeo Rai R/o Village-
Harishankarpur, P.S.- Dalsingsarai, District- Samastipur, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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 arrest in a case registered
under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
8.500 litres illicit liquor from the house of co-accused Ram
Shankar Mahto who disclosed that the said illicit liquor was
given to him for sale by this petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Further submission is that petitioner has no concern with
the seized illicit liquor. Nothing has been recovered from the
conscious possession of the petitioner. Except the disclosure
statement, there is nothing material against the petitioner. The



seizure list witnesses are not independent witnesses. 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 Special Judge Excise-II, Samastipur in connection with Excise Patory P.S. Case No. 85 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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