

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58057 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- BHAGWANPUR District- Vaishali

Rishi Kumar S/o- Ram Prasad Paswan, Resident of Village- Karhari Ps-
Bhagwanpur Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Pratima Kumari, Advocate.

For the Opposite Party/s : Mrs. Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bhagwanpur P.S. Case No.167 of 2025 instituted under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
69.75 litre country made liquor from the maize field near the
house of petitioner. It is alleged that the petitioner fled away
from the spot after seeing the police.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. He further submits that the
petitioner was not present on the spot and no incriminating
article has been recovered from his conscious possession.
Learned counsel submits that petitioner has no concern either



with the alleged seized liquor or the place from where the alleged recovery has been made. He further submits that the alleged recovery of liquor has been made from the maize field which is an open place and accessible to public at large. Learned counsel submits that 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 aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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 Additional District & Sessions Judge-cum-Exclusive Special Excise Court No.I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No.167 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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