

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58273 of 2025

Arising Out of PS. Case No.-575 Year-2025 Thana- PHULWARISHARIF District- Patna

Aakash Kumar @ Aakash Raj S/o Sanju Prasad @ Raju Kumar @ Raju Prasad Resident of Mohalla - Bhawar Pokhar, Pakka Kuan, P.S - Pirbahore, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-09-2025 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) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 24 litres of illicit liquor from the *tempo* of the petitioner bearing Reg. No. BR01-PQ-0435. The driver of the *tempo* namely, Sachin Kumar apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being the owner of the seized vehicle. Further submission is that on the alleged date of occurrence, the vehicle in question was taken by the co-accused Sachin Kumar and without



knowledge and consent of the petitioner, his vehicle was being used for transportation of illicit liquor. It is submitted that petitioner has no concern with the seized illicit liquor and nothing has been recovered from the conscious possession of the petitioner. There is no proper compliance of Section 103 of B.N.S.S. 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 Court concerned in connection with Phulwari Sharif (Janipur) P.S. Case No. 575 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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