

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57290 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- R S P.S. District- Araria

Vishal Bhagat Son of Birendra Bhagat Resident of Village - Araria RS, Ward
No. 03, P.S. - RS. Dist. - Araria,(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 3.900 litres Indian made foreign
liquor from the rack point office near Hanuman Temple, R.S.
Station. Out of two accused persons, one co-accused was
apprehended on the spot, who disclosed the name of petitioner
as escaped person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of disclosure made by apprehended accused.
Petitioner is not an employee posted or working in rack point
office from where the alleged recovery was made. Nothing



incriminating article has been recovered from conscious possession of the petitioner. The alleged recovery was made a place which is accessible to general public. Petitioner has no concern with the seized illicit liquor. Except disclosure statement, there is nothing against the petitioner. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Araria in connection with Araria RS P.S. Case No.202 of 2024, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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