

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58167 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- Garahara District- Begusarai

Raushan Kumar S/O- Pasupati Rai R/O Vill- Simaria, Ward No.-1, P.S.-
Chakiya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 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 352, 132 of Bharatiya Nyaya Sanhita and Sections 30(a) and 32(ii) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 60 litres of illicit country made liquor was recovered from the motorcycle bearing Reg. No. BR09-AT-3908 of which petitioner is registered owner.

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 motorcycle. Further submission is that on the alleged date of occurrence. the motorcycle of the petitioner was parked near the place of occurrence and petitioner had gone to meet his relatives, in the



meantime, his motorcycle was seized. Petitioner has no concern with the seized illicit liquor. Nothing has been recovered from the conscious possession of the petitioner. There is no independent witness on the seizure list. Petitioner has one criminal antecedent of similar nature in which he is on bail 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-1, Begusarai in connection with Gadhara P.S. Case No. 41 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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