

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59695 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- KAMTAUL District- Darbhanga

Ishwar Kumar @ Ishwar Ray, S/o Amiri Lal Yadav R/o vill - Katraul, P.S.-
Jale, Distt.- Darbhanga, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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 his arrest in connection with Kamtaul P.S. Case No. 122 of 2025, instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. On secret information regarding unloading of illicit liquor from a truck to Pick-up Van and hut by the petitioner along with other co-accused persons, police team reached at the place of occurrence and apprehended one person who disclosed his name as Ajay Kumar. There is total recovery of 4523.04 litres illicit liquor from the seized truck, Pick-up Van and hut.

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. Petitioner was not present on the spot. No incriminating material has been recovered either from his possession or from his house. Petitioner has no concern either with



the seized liquor or with the seized Truck, Pick-up Van and the said hut. Except the alleged secret information, there is nothing against the petitioner. Petitioner has no criminal antecedent. He undertakes to co-operate in the investigation and trial. Similarly situated co-accused, namely, Fekan Sah has been granted anticipatory bail by this Court, vide order dated 22.09.2025 passed in Cr. Misc. No. 58859 of 2025.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-I (Excise Act), Darbhanga in connection with Kamtaul P.S. Case No. 122 of 2025, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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