

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59660 of 2025

Arising Out of PS. Case No.-730 Year-2025 Thana- Excise P.S. District- Aurangabad

Pintu Kumar Son of Rajendra Chaudhary R/o Village - Barun Mohanganj,
P.S. - Barun, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv
For the State : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Excise P.S. Case No. 730 of 2025, G.R. No. 1313 of 2025, dated 11.07.2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Amendment Act 2018 and Sections 41(1), 41(2) of the Bihar Prohibition and Excise Act 2016.

3. As per allegation, co-accused Kundan Kumar was found to be in possession of 60 litres of illicit country made liquor and as per his confessional statement, he has purchased this liquor from the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that except the confessional statement of co-accused, there is no other material against the petitioner. He further submits that confessional statement of co-accused is not admissible and hence, there is no legal material against the petitioner. Hence, no prima facie case is made out against the petitioner and the present anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection



with Excise P.S. Case No. 730 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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