

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62269 of 2025**

Arising Out of PS. Case No.-841 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Niraj Kumar Son of Awadhesh Kumar @ Awadhesh Rai R/o Village -  
Khalikpur, P.S. - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      24-09-2025      1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Excise Police Station Case No. 841 of 2025, dated 02.07.2025, disclosing offence under Section 30(a)/32(3) of the Bihar Prohibition and Excise Act.
3. The prosecution story, as per the First Information Report, is that on 01.07.2025, on secret information, the police intercepted a pickup van, bearing registration no. JH01-FX-3086, which upon seeing the police party tried to flee away, but was chased and stopped. One person was apprehended, who disclosed his name as Nitesh Saw and on enquiry disclosed the name of the person, who succeeded in fleeing away, as Guddu Kumar. Upon



search, a total of 715.680 litres of illicit liquor was recovered from the said van.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to oblique motive and on the basis of secret information. The arrested co-accused person has not disclosed the name of the petitioner. He next submits that the vehicle, in question, does not belong to the petitioner and illicit liquor has not been recovered from conscious possession of the petitioner and/or from the vehicle belonging to him. The petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced by learned counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and illicit liquor has not been recovered from conscious possession of the petitioner and/or from the vehicle belonging to him, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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, Court No. II, Muzaffarpur, in connection with  
Excise Police Station Case No. 841 of 2025, subject to the  
condition laid down under Section 438 (2) of the Code of  
Criminal Procedure.

(Anil Kumar Sinha, J)

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