

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69932 of 2025

Arising Out of PS. Case No.-699 Year-2025 Thana- Excise P.S. District- Aurangabad

Raushan Kumar S/o Bulli Chauhan @ Sudina Noniya R/o Village- Jamua,
P.S.- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Aurangabad Sadar Excise P.S. Case No. 699 of 2025, instituted for the offence under Sections 30(a), 32(3), 41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. There is recovery of 385 litres of illicit spirit from a tractor bearing Registration No. JH03F 7597. Driver of the tractor, namely, Birendra Vishwakarma was apprehended on the spot who disclosed that the said liquor was to be delivered to the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the disclosure made by the apprehended person. Petitioner is neither owner nor driver of the tractor in question.



He has no concern either with the seized liquor or with the co-accused persons. Except the disclosure statement made by the co-accused, there is no material against the petitioner to implicate him in this case. Petitioner has one criminal antecedent which does not belong to Excise Act. Petitioner undertakes to co-operate in the investigation and trial.

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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Aurangabad in connection with Aurangabad Sadar Excise P.S. Case No. 699 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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