

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63129 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Gorakh Kumar @ Rakesh Kumar Son of Late Om Prakash Mandal Resident
of Chunabhatti, Kangwa Gumti Ward No.- 14, Laxmi Sagar, P.S.- Sadar,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Saurav Anand, Advocate
		Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s :		Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Sadar P.S. Case no.160 of 2025, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted, 720 litres of Nepali liquor was recovered from a maruti car while the accused persons managed to escape.

4. Learned counsel for the petitioner submits that the petitioner is not said to be among the persons who were sitting or occupying the vehicle in question from which the alleged seizure is said to have taken place. Referring to the contents of



the FIR and the order of the learned trial Court, it is submitted that the only material against the petitioner is that subsequently it transpired on secret information having been received that the liquor was to be delivered to the petitioner. Learned counsel submits that the petitioner has no concern either with the vehicle in question, the seized liquor nor was the same to be delivered to him. The cause of false implication of the petitioner is his antecedents. He undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, no incriminating article having been recovered from his possession and the only material against him being the secret information received to the effect that the liquor seized was meant to be delivered to the petitioner, in the facts of the case, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Sadar P.S. Case no.160 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the
learned Special Judge-I (Excise Act), Darbhanga.

(Partha Sarthy, J)

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