

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66274 of 2025

Arising Out of PS. Case No.-259 Year-2025 Thana- Excise P.S. District- Aurangabad

Kallu Kumar @ Vidyasagar Kumar S/o Rajesh Noniya, R/o Village- Noniya
Bigha, Kurma, P.S.- Jamhor, Dist.- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Daudnagar Excise P.S. Case No. 259 of 2025, dated 01.08.2025, registered for the offences punishable under Sections 30(a), (c) and (d) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 770 litres of illicit spirit along with other articles was recovered from the house of co-accused Basudev Paswan.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. He further submits that 770 litres of illicit spirit



was recovered from the house of Basudev Paswan and police has already arrested the Basudev Paswan and Chandan Kumar and on the basis of confessional statement of co-accused Chandan Kumar, the name of the petitioner transpired in the present case. He lastly submits that petitioner carries on criminal antecedent which is not of similar nature and petitioner is on bail in the said case as mentioned in paragraph no. 3 of the bail application.

5. Petitioner agrees to deposit a sum of Rs. 10,000/- to the Advocate's Association, Patna High Court, Patna.

6. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Aurangabad, in connection with **Daudnagar**



Excise P.S. Case No. 259 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

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