

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65883 of 2025

Arising Out of PS. Case No.-570 Year-2022 Thana- JHAJHA District- Jamui

Vibhash Kumar Son of Late Ramraut @ Ramraut Prasad Rawat R/o Vill. -
Pipradih, P.S. - Jhajha, Dist. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Jhajha P.S. Case No. 570 of 2022 registered for the offences under Sections 30(a) and 32 of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution story, on 15.12.2022, A.S.I. Subodh Kumar formed a police patrolling party to curb illegal liquor activities. Acting on secret information near Jhajha Railway Station, the team moved to Auraiya Amrapur More, where at 11:45 AM they intercepted a man carrying a white plastic bag. On being apprehended while trying to flee, he identified himself as Nandlal Yadav. A search of his bag, in the presence of witnesses, led to the recovery of 9 liters of foreign



liquor.

4. Learned counsel for the petitioner submits that the vehicle seized by the police in connection with recovery of 8.65 litres of liquor was being driven by the petitioner's younger brother, Vikas Rawat, and the alleged illegal act committed by him was without the knowledge of the petitioner. It is further submitted that the petitioner was neither apprehended nor seen at the place of occurrence, nor was he driving the said motorcycle at the time when the police intercepted it. The petitioner is working at Eco Café, Patna, for earning his livelihood, and therefore no liability can be fastened upon him for the act of his brother, who is alleged to have misused his motorcycle for committing the offence.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and alleged illegal act was committed by his brother without the knowledge of the petitioner, accordingly, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on



anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court-I, Jamui, in connection with Jhajha P.S. Case No. 570 of 2022 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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