

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65993 of 2025

Arising Out of PS. Case No.-462 Year-2025 Thana- AGAMKUAN District- Patna

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Krishna Kumar Yadav S/o Vijay Ray @ Vijay Rai R/o Village- Dharmshala
Gali, Chowk, PS- Chowk, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 24-09-2025 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Agamkuan P.S. Case No. 462 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, on 13.06.2025, while on patrolling duty, the police received secret information about a Splendor motorcycle carrying liquor. Near Pahari Musahri, the police spotted the motorcycle loaded with carry bags. On seeing the police, the rider abandoned the vehicle and fled. The police searched the motorcycle (Reg. No. BR01CB 8335) and recovered 40 liters of country-made liquor. The liquor and the motorcycle were seized, a seizure list was prepared, and an FIR was lodged against the arrested persons and the motorcycle's



owner.

4. Learned counsel for the petitioner submits that the nothing has been recovered from his conscious possession and his name has surfaced merely because the recovered bike belongs to this petitioner whereas the petitioner contends that the seized liquor to the tune of 40 liters of country made liquor is in no way connected with the petitioner and one Radhe Kumar, who is said to have been arrested by the Police, had taken the petitioner's motorcycle for going to the hospital and visiting some of his relatives.

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 / or premises belonging to the petitioner and he has been implicated in the present case due to he being the owner of the alleged bike in question, accordingly, I am inclined to grant 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 Special Court of Excise, Patna City, in connection with Agamkuan P.S. Case No. 462 of 2025 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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