

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67439 of 2025

Arising Out of PS. Case No.-664 Year-2024 Thana- KADAMKUAN District- Patna

Pratap Kumar S/o Late Kishore Ram R/o - Nala Road, Ambedkar Bhawan,
P.S - Kadamkuan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the State : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Kadamkuan P.S. Case No.664 of 2024, dated
01.09.2024, registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. As per allegation, in course of raid in regard to
illicit business of liquor at Nala Road, Patna, two persons were
seen to be fleeing away after throwing a sack of illicit liquor and
as per the local people, it was the petitioner and other co-
accused Bogi Ram, who have thrown the sack of illicit liquor
after seeing the police.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the possession of the petitioner and he has nothing to do with the alleged offence. The whole case is based only on suspicion. There is no cogent material on record to connect the petitioner with the alleged offence and hence, no prima facie case is made out against him and the anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned concerned Court Below, in connection with Kadamkuan P.S. Case No.664 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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