

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66423 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- ARA NAGAR District- Bhojpur

Prabhat Kumar @ Prabhat Kumar Yadav Son of Naresh yadav Resident of
Mohalla -Charkhambha Gali, P.S. - Ara Nagar, District - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Raju Kumar Singh, Advocate Ms. Drishti Mohan, Advocate
For the Opposite Party/s	:	Ms. Indu Kumari Srivastava, 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 Ara Nagar P.S. Case No. 229 of 2025, dated 10.04.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 32 litres of illicit country made liquor was recovered from different locations.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from the conscious



possession of the petitioner and petitioner has no concern with the alleged recovery. In fact, the recovery has been made from open place which accessible to one and all and petitioner is in no way connected to the said seizure and there is non-compliance of Section 103 of the BNSS. Name of petitioner surfaced in the present case merely on the basis of suspicion. He lastly submits that petitioner claims clean antecedent.

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

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner has clean antecedent, nothing has been recovered from the conscious possession of the petitioner and recovery has been made from an open place which is accessible to one and all, 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 Exclusive Special Judge Excise Court No. 1, Bhojpur at Ara,



in connection with **Ara Nagar P.S. Case No. 229 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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