

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69424 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- KOCHAS District- Rohtas

Prince Kumar @ Prince Kumar Keshri @ Prince Keshri S/o Late Arvind Prasad @ Arvind Prasad Keshri Resident of Village- Bastalwa, PS- Kochas, District- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shashi Kant

For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kochas P.S. Case No. 159 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, on the basis of secret information, 8.280 litre foreign liquor was recovered from the hut of apprehended co-accused Jitendra Chouhan @ Jitendra Noniya, who disclosed that alleged liquor was made available by the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR. Petitioner bears criminal antecedent of two cases in which he is on bail and just because of criminal antecedent of the petitioner, he has been falsely implicated in this case. He further submits that source of information has not been disclosed in the FIR which questions the authenticity of the prosecution story. He further submits that except disclosure of apprehended co-accused Jitendra Chouhan @ Jitendra Noniya, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. He further submits that alleged recovery was made from the hut of co-accused Jitendra Chouhan @ Jitendra Noniya and petitioner has no concern with the hut in question. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is alleged recovery of 8.280 litre foreign liquor from the hut of apprehended co-accused Jitendra Chouhan @ Jitendra Noniya who disclosed that alleged liquor was made available by the



petitioner and hence, petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 Judge, Excise-II, Sasaram in connection with Kochas P.S. Case No. 159 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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