

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68115 of 2025

Arising Out of PS. Case No.-158 Year-2024 Thana- BODHGAYA District- Gaya

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Anish Kumar S/o- Ravindra Paswan @ Rabindra Prasad Resident of Village-
Murgavn, P.S.- Belaganj, District- Gaya,

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-09-2025 Heard learned counsel appearing on behalf of
the petitioner and learned APP appearing on behalf of
the State.

2. The petitioner seeks bail in connection with
Bodh Gaya P.S. Case No. 158 of 2024 registered for the
offences under Sections 30(a) of Bihar Prohibition and
Excise Act.

3. The petitioner is named in the F.I.R and in
custody since 31.07.2025.

4. The allegation against the petitioner is to
have in possession of 1.125 litres of illicit liquor and
engaged in illegal trading/manufacturing of illicit liquor.

5. Learned counsel appearing on behalf of the
petitioner submitted name of this petitioner transpires
only on the basis of disclosure made by apprehended



co-accused Nitish Kumar @ Karu. It is submitted that the alleged illicit liquor was recovered from the straw house of co-accused Pappu Kumar, and not from conscious physical possession of this petitioner.

6. While concluding argument, it is submitted that seizure list appears not supported by independent witnesses rather by police personnel.

7. Learned APP appearing on behalf of the State, opposes the prayer for bail.

8. In view of the aforesaid factual submission and by taking note of the fact as the recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of the petitioner, coupled with the fact that petitioner remains in custody since 31.07.2025, accordingly, petitioner above named is directed to be released on bail in connection with Bodh Gaya P.S. Case No. 158 of 2024 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 Excise Court No. 1, Gaya Jee/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.



Rajeev/-

(Chandra Shekhar Jha, J)

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