

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67671 of 2025

Arising Out of PS. Case No.-913 Year-2025 Thana- ALAMGANJ District- Patna

Rahul Kumar S/O Dhelu Sao Resident of Mohalla- Bakariya Tola, P.S.-
Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Prasad, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Alamganj P.S. Case No. 913 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 24.08.2025 by the informant, Anmol Kumar.

3. As per the prosecution story, the Police on secret information reached the place and apprehended one person who disclosed his name as Vikash Kumar and recovered/seized 21.6 liters of foreign liquor. He gave the name of this petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, got implicated. He further submits that nothing has been recovered from his conscious



possession rather from the possession of Vikash Kumar.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Considering the submissions of the parties as also the fact that nothing has been recovered from his conscious possession rather his name has been cropped up on the confession of co-accused Vikash Kumar in police custody, FIR has been lodged, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Alamganj P.S. Case No. 913 of 2025 to the satisfaction of learned Exclusive Special Court, Excise Patna City subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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