

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69061 of 2025

Arising Out of PS. Case No.-331 Year-2025 Thana- KHAJEKALA District- Patna

Prakash Yadav @ Prakash Kumar Son of Lakhendra Roy R/O- Ranipur
Murchapar, P.S.- Mehandiganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Khajekalan P.S. Case No. 331 of 2025 registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, the informant reported to Khajekalan Police Station on 09.08.2025 that during an evening patrol, he received information that Amit Kumar was selling liquor from his house. The police intercepted Amit Kumar at Noon Ka Chauraha, where he was found acting suspiciously. When searched in the presence of police witnesses, 360 ml of foreign liquor was recovered from his pocket. Amit



Kumar admitted that the liquor belonged to him and the petitioner, and that they both were involved in selling it.

4. Learned counsel for the petitioner submits that he has falsely been implicated in this case on the basis of confessional statement of the co-accused, namely, Amit Kumar. The recovery of seized liquor is only to the tune of 360 ml and the petitioner has one criminal antecedent akin to the instant case which is said to have been registered in the year 2024.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that there is no recovery on search being made by the Police of his house and the petitioner is in no way connected with the seized articles, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 5000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise Patna City, in



connection with Khajekalan P.S. Case No. 331 of 2025 subject
to the condition as laid down under Section 482(2) of the
B.N.S.S., 2023.

(Ajit Kumar, J)

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