

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70019 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- MATIHANI District- Begusarai

Raju Kumar S/o Sanjay Ram, Resident of Village- Rampur, P.S.- Matihani,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Advocate.

For the Opposite Party/s : Ms. Asha Devi, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 21.375
litre illicit foreign liquor from the Orchard of one Aayush Sah. It
is alleged that the petitioner alongwith co-accused Shivam
Kumar have fled away from the spot after seeing the police.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the alleged recovery has been
made from an Orchard of one Aayush Sah which is an open
place and is accessible to public at large. Learned counsel
submits that petitioner has no concern either with the alleged
seized liquor or with the place from where the recovery has



been made and no incriminating article has been recovered from his conscious possession. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law as there is no independent witness to the seizure list. Learned counsel submits that petitioner is a young boy of 20 years and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Begusarai in connection with Matihani P.S. Case No.140 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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