

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71977 of 2025

Arising Out of PS. Case No.-519 Year-2025 Thana- MADHAURAH District- Saran

Rupesh Rai S/O Upendra Rai R/O village- Semrahiya, P.S.- Marhowrah,
district- Saran

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-10-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in a case registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, the informant received secret information that the accused persons were unloading illicit spirit. On search being made, 700 litres of spirit was recovered and co-accused Aasha Devi was apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case solely on the basis of suspicion. It is further submitted that the recovery was made from a house where the petitioner jointly resides with family members. His mother, Aasha Devi, was apprehended at the spot but was subsequently released on bail. No recovery was made from the possession of



the petitioner. Lastly, the petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and/ or premises belonging to the petitioner, 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Marhowrah P.S. Case No.519 of 2025 subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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