

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72068 of 2025

Arising Out of PS. Case No.-362 Year-2021 Thana- KALYANPUR District- Samastipur

Raushan Kumar S/O Surendra Ray Resident of village-Bhagwanpur Gorina,
Police Station- Kalyanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar No. 2

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 419, 420 of the Indian Penal Code and 30(a), 32(iii), 36, 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the FIR, the informant intercepted a container vehicle near Pankaj Line Hotel, Kalyanpur. On seeing the police, two accused persons tried to flee but were apprehended. On search, 1989 liters of liquor were recovered. The accused persons disclosed that the liquor was to be delivered to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in



the instant case only on the basis of a mobile location which is said to have been shared by the petitioner with the driver of the said vehicle. There is no recovery of incriminating articles from the conscious physical possession of the petitioner. Furthermore, it is submitted that the petitioner is neither the owner nor the driver of the alleged container. Lastly, it is submitted that the petitioner has one criminal antecedent akin to the instant case, and he is on bail in that case.

5. Without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs.25,000/- (Rupees Twenty Five Thousand) in the welfare account of the Advocate Association of the Patna High Court.

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, 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 Exclusive Special Judge, Excise-I, Samastipur in connection with Kalyanpur P.S. Case No.362 of 2021 subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and on production of the receipt showing deposit of Rs.25,000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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