

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72981 of 2025

Arising Out of PS. Case No.-337 Year-2025 Thana- BAKHTIYARPUR District- Patna

Heera Kumar @ Rahul Kumar Son of Biraj Kumar @ Biraj Rai Resident of
Village - Dedaur, Police Station - Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-10-2025 Heard learned counsel for the parties.

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

3. As per the FIR, the informant received secret information that illegal liquor was kept by one Randheer Kumar and the petitioner in a cabin near the water tank. On reaching the spot, police recovered 223.92 litres of foreign liquor.

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 suspicion. It is further submitted that the petitioner was not apprehended on the spot, and nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the illicit liquor has been recovered from a water tank, and the petitioner has no



possession over it. It is lastly submitted that 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 Exclusive Special Judge, Excise Barh, Patna in connection with Bakhtiyarpur P.S. Case No.337 of 2025 subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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