

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84364 of 2025

Arising Out of PS. Case No.-258 Year-2020 Thana- DAUDNAGAR District- Aurangabad

Ranjit Kumar @ Boudha, S/o Ramoutar Prasad, Resident of Village-
Daudnagar Bam Road, P.S.- Daudnagar, District- Aurangabad ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-12-2025 Heard Mr. Binod Kumar Pandey, learned counsel

for the petitioner and Mr. Awadhesh Kumar Singh, learned APP

for the State.

2. The petitioner apprehends his arrest in connection
with Daudnagar P.S. Case No. 258 of 2020 dated 23.08.2020
registered for the offence punishable under section 30(a) of the
Bihar Prohibition & Excise Act (in short, 'Excise Act').

3. Learned counsel appearing for the petitioner
submits that the recovery of the alleged liquor is said to have
been made from the house of co-accused Ramesh Prasad,
regarding which there is no dispute and the name of the petitioner
surfaced in the confessional statement of apprehended co-accused
Ramesh Prasad, with whom the petitioner has enmity and in this
regard, specific statement has been made in the paragraph No. 6
of the petition and further, except the said statement of co-
accused Ramesh Prasad, which has no evidentiary value in the



eyes of law, there is nothing to show the petitioner's involvement in the recovery of the alleged liquor and in the light of these circumstances, the alleged offence of the Excise Act, under which the FIR has been registered, does not attract even *prima facie* against this petitioner, so, his prayer is not hit by the provisions of section 76(2) of the Excise Act.

4. Though learned APP for the State has opposed the prayer of the petitioner but he has not been able to rebut the petitioner's aforesaid submissions.

5. In the facts and circumstances of this case and mainly considering the above submissions and the fact that the petitioner has no connection with the alleged liquor or the place of recovery, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Daudnagar P.S. Case No. 258 of 2020, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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