

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84236 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Raddu Kumar @ Rudu Kumar S/o Jaysawal Singh Resident of Village-
Posawa, P.S.- Garhani (Agiaon), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ara, Udwanthnagar P.S. Case No. 325 of 2024, F.I.R dated 01.08.2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the informant, Sudhir Kumar, A.S.I. of Udwanthnagar Police Station, recorded his self-statement on 31.07.2024 stating that while on patrolling duty along with police force, he noticed two persons riding a motorcycle carrying a large bag. On seeing the police vehicle, both persons allegedly abandoned the motorcycle and attempted to flee. One person, namely Rahul Kumar, was apprehended,



while the driver of the motorcycle, namely Ruddu Kumar, escaped taking advantage of darkness. Due to night hours, no independent witnesses were available. Upon search of the plastic bag carried on the motorcycle, 72 litres of Mahua liquor was allegedly recovered. The liquor and motorcycle bearing registration no. BR-03J-4267 were seized, a seizure list was prepared, and the case was instituted accordingly.

4. Learned counsel for the petitioner submits that the recovery of the 72 litres *mahuwa* wine is made from motorcycle bearing Registration No. BR03J4267. The petitioner has no connection with the accused and has clean antecedent. It has been next submitted that name of this petitioner has transpired on the conclusion made by the co-accused *Rahul Kumar*.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 constructive possession and / or premises belonging to the petitioner and considering the aforesaid facts the petitioner has no way connected with the motorcycle from which the sized articles is recovered, 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 Excise Court 2nd Bhojpur at Ara in connection with Ara, Udwantnagar P.S. Case No. 325 of 2024 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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