

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85516 of 2025

Arising Out of PS. Case No.-669 Year-2025 Thana- ARA NAWADA District- Bhojpur

Kallu Kumar @ Aman Kumar @ Kalu Son of Mukesh Paswan Resident of
Village - Bahiro, P.S.- Ara Nawada, District - Bhojpur

... .. Petitioner/s

Versus

The State of 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 ANIL KUMAR SINHA
ORAL ORDER

- 2 22-12-2025
1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
 2. This application for grant of anticipatory bail arises out of Nawada Police Station Case No. 669 of 2025, dated 09.10.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act.
 3. The prosecution story, as per First Information Report, is that on 09.10.2025, the police, while conducting vehicle checking and patrolling, received secret information that three persons were unloading illicit liquor from a train near the railway track at Jabahar Tola. Upon such



information, the police party reached at the spot and saw that three persons were trying to carry two jute bags near railway track and upon seeing the police party tried to flee away and succeeded in it and were identified during chase as Karan Kumar @ Aman Kumar i.e. the petitioner, Kallu Kumar and Dilip Paswan. On search, a totoal of 80 liters of country-made liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is having clean antecedent and has not committed any offence in the manner alleged. The petitioner has been made accused on the basis of secret information. He further submits that illicit liquor has not been recovered from conscious possession and/or premises belonging to the petitioner and from perusal of the seizure list it would be evident that illicit liquor has been recovered from railway track near Jawahar Tola which is open space and accessible to all and sundry.
5. Regards being had to the submission made by the parties and taking into consideration the fact that



the petitioner is not having any criminal antecedent, illicit liquor has been recovered from railway track near Jawahar Tola which is open space and is accessible to all and sundry, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. I, Bhojpur at Ara, in connection with Nawada Police Station Case No. 669 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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