

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86393 of 2025

Arising Out of PS. Case No.-696 Year-2025 Thana- Excise P.S. District- Aurangabad

Narendra Kumar @ Jitwahan Son of Ramswarup Yadav Resident of Village-
Hazari Karma, Ps- Muffasil, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2025 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 Excise Police Station Case No. 696 of 2025, G.R. No. 1250 of 2025, disclosing offences under Sections 30(a), 32(3), 41(1) and 41(2) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 02.07.2025, during the course of vehicle checking, police intercepted a Mahindra Tractor bearing Chasis No. MEWCO304404789, coming towards Aurangabad loaded with illicit liquor below the bricks. It is further alleged that two persons were riding on a motorcycle, working as a linner, police tried to stop them but the accused persons succeeded in fleeing away. The driver of Tractor was arrested was disclosed his name



as Baijnath Kumar, and disclosed the name of fled away persons as co-accused Guddu Kumar and Narendra Kumar @ Jitwahan (petitioner). On search, total 734.400 litres of foreign liquor was recovered from the aforesaid Tractor.

4. Learned Counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion. The petitioner was working as a driver, riding on a motorcycle, is totally vague. The name of petitioner has come only on the basis of confessional statement made by arrested co-accused Baijnath Kumar. Petitioner is not the owner of both the vehicles. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is having clean antecedent. Similarly situated co-accused, namely, Guddu Yadav @ Guddu Kumar has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 24.09.2025, passed in Cr. Misc. No. 64946 of 2025.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated co-accused person has already been granted anticipatory bail by a Co-ordinate Bench of this Court and petitioner is having clean antecedent, 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 learned Special Judge of Excise-II, Aurangabad, in connection with Excise Police Station Case No. 696 of 2025, G.R. No. 1250 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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