

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8719 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- PASRAHA District- Khagaria

Rahul Kumar @ Rahul Sharma S/O Ram Balak Sharma R/O Village- Deotha,
P.S.- Pasraha, DIstt.- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Pasraha P.S. Case No. 245 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act (Amended), 2022.

3. As per prosecution case, there is alleged recovery of 10 litre country made liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that no incriminating article has been recovered from conscious possession of the petitioner. The alleged recovery has been made from joint house of the petitioner and hence, petitioner cannot be held responsible for



the alleged recovery. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. Learned counsel further submits that petitioner is unable to walk and he has falsely been implicated by the police. Petitioner bears no criminal antecedent. Petitioner has nothing to do with the alleged recovery. Seizure list has not been made as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that 10 litre country made liquor has been recovered from the house of the petitioner and hence, petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, petitioner was not found at the place of occurrence, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 Judge-IIInd, Khagaria in connection with Pasraha P.S. Case No. 245 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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