

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9373 of 2026

Arising Out of PS. Case No.-144 Year-2025 Thana- Rajeshwari District- Supaul

Rakesh Kumar Purve @ Bablu Purve S/o Rajendra Purve, Resident of Village
- Kamat Kishunganj, Ward No. 14, P.S - Rajeshwari, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari

For the Opposite Party/s : Mr. Nityanand

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 S.T. Excise No. 1218/2025 arising out of Rajeshwari P.S. Case No. 144/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 720 ml. foreign liquor from the Kitchen of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner bears one criminal antecedent in which he is on bail. The petitioner was not found at the place of



occurrence. No incriminating article has been recovered from the possession or the house of the petitioner. The petitioner has no concern with the seized liquor. He further submits that alleged recovery was made from the joint house of the petitioner and the petitioner cannot held liable for the same. Seizure list has not been prepared 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 provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner is FIR named accused and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, 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 Court of learned



Exclusive Special Excise Court-1, Supaul in connection with
S.T. Excise No. 1218/2025 arising out of Rajeshwari P.S. Case
No. 144/2025, 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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