

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15721 of 2026

Arising Out of PS. Case No.-555 Year-2025 Thana- MINAPUR District- Muzaffarpur

Awadhesh Rai @ Awadhesh Kumar S/O Kripanand Rai R/O Vill.- Turki
Khararu (Gachhi Tola) P.s.- Minapur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Minapur P.S. Case No. 555 of 2025 registered on 30.12.2025 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, recovery of 50.820 litres of foreign liquor from a thatched house allegedly belonging to the petitioner is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that nothing has been recovered from the conscious possession of the petitioner; rather, the alleged recovery has been made from behind the house, where the liquor was found



concealed under husk.

5. It is further submitted that the petitioner has no concern either with the alleged seized liquor or with the alleged place of recovery. The name of the petitioner has surfaced in the present case only on the basis of the confessional statement of a co-accused, which has no evidentiary value in the eyes of law. Learned counsel further submits that the petitioner has been falsely implicated at the behest of the police. Although the petitioner has been made an accused in one other case of similar nature, the same cannot be a ground to presume his guilt in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedents of the petitioner are clean and the petitioner being the registered owner of the motorcycle from which the alleged recovery has been made.

7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Minapur P.S. Case No. 555 of 2025, pending before the learned Exclusive Special Court Excise-I, Muzaffarpur is hereby rejected.

8. However, if the petitioner surrenders before the



Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, considering the ingredients of the Excise Act against the petitioner, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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