

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16770 of 2026

Arising Out of PS. Case No.-495 Year-2025 Thana- RAHUI District- Nalanda

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Banty Kumar Son of Ramnandan Prasad R/o - Jagatnandanpr, P.S - Rahui,
District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Rahui P.S. Case No. 495 of 2025 instituted for the offences
under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 504 litres
of liquor was recovered from Bajaj Maxima vehicle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case on the basis of
disclosure made by apprehended co-accused person. Learned
counsel further submitted that petitioner is neither the owner nor
the driver of the vehicle. The petitioner has got no knowledge



and concern with the alleged recovery of liquor. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has nine criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also there being large number of criminal antecedents of similar nature, in my view, this is not a fit case for anticipatory bail, and hence, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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