

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36015 of 2026

Arising Out of PS. Case No.-97 Year-2026 Thana- PARSA District- Saran

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Raut Seth @ Raul Seth @ Abhishek Nishad S/O Sri Kant Choudhary @
Shrikant Chaudhary R/O Village- Deohara, P.S- Goh, District-Aurangabad,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned Counsel for the petitioner and
learned APP for the State.

3. The petitioner is apprehending arrest in connection
with Parsa P.S. Case No. 97 of 2026 registered on 25.02.2026
for the offences punishable under Section 30(a), 41(1), 32 of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

4. According to the prosecution, 960 litres of spirit
were recovered from a vehicle. The driver of the vehicle, during
investigation, disclosed the *modus operandi* of the illegal trade
and categorically stated that the petitioner was involved in the
transportation of the spirit from one State to another and its



subsequent distribution and sale within the State of Bihar.

5. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has not committed any offence. It is contended that nothing has been recovered from the conscious possession of the petitioner and his implication in the present case is solely based on the confessional statement of the driver of the vehicle from which the alleged recovery was made. Learned counsel further submits that the petitioner is neither the owner of the said vehicle nor has any connection with it. It is also submitted that the petitioner has only one criminal antecedent, which does not relate to any offence under the Excise Act, and he has already been granted bail in the said case.

6. Learned APP for the State opposes the prayer for bail and submits that the materials collected during investigation reveal the active involvement of the petitioner in the alleged offence. It is contended that not only the driver of the vehicle from which the alleged recovery was made, but also another distributor, namely Lagan Singh, disclosed the *modus operandi* adopted by the petitioner for the illegal transportation and distribution of spirit. Learned APP further submits that the statements of the driver and co-accused Lagan Singh are



corroborative in nature and consistently point towards the involvement of the petitioner in the commission of the offence.

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 Parsa P.S. Case No. 97 of 2026, pending before the learned 3rd Exclusive Special Excise Judge, Saran at Chapra (Bihar) is hereby rejected.

(Dr. Anshuman, J)

Ashwini/Manshi

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