

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32269 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- KUDHNI District- Muzaffarpur

Raushan Kumar S/O Surendra Sah R/O Ward No. 02, Barakapur @
Badakapur @ Barkurva, P.S- Turki (Kudhani), Distt.- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-06-2026

Heard the parties

2. The petitioner is apprehending his arrest in connection with Kudhani P.S. Case No. 23 of 2026 registered for the offences punishable under Section 30(a) of Excise Act, 2022.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 43.200 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that recovery of alleged illicit liquor was made from motorcycle bearing registration no. BR06DV5728, which was given to his friend but due to technical reason as petitioner is the registered owner of the motorcycle he was implicated with present case. It is



submitted that recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner. While concluding arguments, it is submitted that petitioner found involved in one more criminal case where he is on bail.

5 Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of alleged illicit liquor *prima-facie* not appears to be made from the conscious physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned learned Exclusive Spl. Excise court II, Muzaffarpur /concerned Court, where the case is pending in connection with Kudhani P.S. Case No. 23 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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