

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35280 of 2026

Arising Out of PS. Case No.-96 Year-2022 Thana- ALIPUR District- Gaya

Rahul Kumar S/o Rajeshwar Paswan @ Rajesh Paswan R/o Village -
Manikpur Kespa, P.S - Alipur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-05-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Alipur P.S. Case No. 96 of 2022 registered for the offence punishable under Sections 30(a) and 37(ii) of the Bihar Prohibition and Excise Act.

3. As per the FIR, on 03.07.2022 at about 9:30 P.M., during patrolling, police intercepted a red Maruti Suzuki car carrying 50 litres of illicit *mahua* liquor. The driver, co-accused Kundan Kumar, was apprehended, while Rahul Kumar fled from the spot. The co-accused disclosed that the liquor had been loaded into the vehicle at Rahul Kumar's instance.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



present case. It is further submitted that the seized vehicle belongs to Kumar Vipul. The implication of the petitioner is solely based on the confession of co-accused Kundan Kumar. The petitioner is neither the owner of the vehicle nor connected with any liquor syndicate allegedly operating in the area. Lastly, it is submitted that the petitioner has no criminal antecedents and are ready to abide by all terms and conditions as may be imposed by this Court while granting the privilege of anticipatory bail.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Regard being had to the submissions made by the parties, and taking into consideration the fact that the illicit liquor has not been recovered from the constructive possession of the petitioners and further that the **petitioners have a clean antecedent**, this Court is inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of



Learned Exclusive Special Excise, Court No. 2, Gaya Ji,, in connection with Alipur P.S. Case No. 96 of 2022, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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