

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32988 of 2026

Arising Out of PS. Case No.-472 Year-2025 Thana- RAFIGANJ District- Aurangabad

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Santosh Kumar S/O Bhuneshwar Yadav R/O Village- Theghwa, P.S.-
Rafiganj, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv.

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Rafiganj P.S. Case No. 472 of 2025 lodged on 20.11.2025, for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against one named accused person other than the petitioner. Total recovery of 23.4 litres of illicit liquor has been made, which 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. Counsel submits that nothing has been recovered from the conscious



possession of the petitioner and the alleged recovery has been made from a motorcycle which was driven by named accused person. Counsel further submits that the petitioner is not named in the FIR and his name has come in this case only on the basis of suspicion. He further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of District & Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court no.1, Aurangabad, in connection with Rafiganj P.S. Case No. 472 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found at any stage that the petitioner has concealed the fact about his criminal antecedent(s), the Trial Court shall take steps for cancellation of



bail bond of the petitioner. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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