

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36078 of 2026

Arising Out of PS. Case No.-419 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

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Rahul Ram S/o Sunil Ram @ Yugul Kishore Ram R/o - Kotwa, P.S -
Gopalganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Mohammed Arif, 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
A.P.P for the State.

3. The petitioner is apprehending arrest in connection
with Kuchaikote P.S. Case No. 419 of 2022 lodged on
14.09.2022, for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2018,
pending in the Court of Additional District & Sessions Judge-IV
cum Exclusive Special Excise, Court no. II, Gopalganj.

4. As per the prosecution, total recovery of 703.960
litres of illicit liquor has been made, which is the subject matter



of the present case

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from a car. Counsel further submits that the name of the petitioner has come in this case only on the basis of confessional statement of the co-accused. He further submits that the petitioner has clean antecedent.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that huge quantity of illicit liquor has been recovered in this case.

7. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

8. Liberty is hereby granted to the petitioner that if he surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering that whether ingredients of Excise Act is made out against petitioner in this case or not, without being prejudice that the anticipatory bail of the petitioner has been rejected by



this Court and the Trial Court shall pass order on the merit of
this case.

(Dr. Anshuman, J)

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