

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35308 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- Excise P.S. District- Lakhisarai

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Rahul Kumar @ Ramu Kumar @ Vishal Kumar S/O Om Saw @ Om Prakash
Saw Resident of village- Kabiya, ward no- 25, P.s.- Kabiya, District-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Lakhisarai Excise P.S. Case No.114C2 of 2026, F.I.R dated 20.02.2026 registered for the offences punishable under Sections 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, acting on secret information, the police recovered about 40 liters of illicit liquor from the possession of the co-accused, who during interrogation disclosed the name of the present petitioner as his associate.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case merely on the basis of the statement of the apprehended co-accused. It is next submitted that the recovery has been made from the motorcycle bearing Regd. No. BR53J1365, which does not belong to the petitioner and his name has transpired in this case on the basis of the confession made by the co-accused Sumit Kumar. It is further submitted that the petitioner has no concern with the seized liquor. Lastly, it is submitted that the petitioner has five criminal antecedents of similar nature and is ready to abide by all the terms and conditions as may be imposed by this Court while granting the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Having heard learned counsel for the parties and considering that the illicit liquor has not been recovered from the constructive possession of the petitioner and his name has transpired in this case only on the basis of statement of the co-accused, let the petitioner, 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) with



two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge- VIIth -cum- Exclusive Special Judge, Lakhisarai in connection with Lakhisarai Excise P.S. Case No.114C2 of 2026. 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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