

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45155 of 2026

Arising Out of PS. Case No.-115 Year-2026 Thana- KAUWAKOL District- Nawada

Rohit Kumar, Son of Kapil Yadav, R/o Village-Taraun, P.S.- Kawakol @
Kauwakol, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Kauwakol P.S. Case No.115 of 2026 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 9.750 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that petitioner was not apprehended on spot. It is submitted by learned counsel appearing for petitioner that recovery of alleged illicit liquor was not made from conscious



physical possession of this petitioner rather same was recovered from road away from the Primary School, Nanniyatari. It is submitted that seizure list was not supported by independent witnesses rather by police personnel. While concluding argument, it is submitted that petitioner found involved in four more criminal cases, where he is on bail in three cases.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact, as recovery of alleged illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, Excise-II, Nawada in connection with Kauwakol P.S. Case No.115 of 2026, subject to the conditions as laid down



under Section 438(2) of the CrPC/under Section 482(2) of
the BNSS.

(Chandra Shekhar Jha, J.)

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