

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45179 of 2026

Arising Out of PS. Case No.-280 Year-2024 Thana- AGAMKUAN District- Patna

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Ashwani Kumar Son of Shaym Sundra Prasad R/o- Gouriasthan, Kathpul,
P.S.- Mehdiganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Tiwari

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard the parties

2.The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Agamkuan P.S. Case No. 280 of 2024 registered for the offences punishable under Section 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 792 litres of IMFL/country made liquor

4.Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from vehicle bearing registration no. UP21AN5840. It is submitted that recovery is not made from conscious physical



possession of the petitioner. It is further submitted that petitioner was not present at the place of recovery and has no concern with the aforesaid vehicle. It is submitted that petitioner found involved in seven more criminal cases where he is on bail .

5 Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, 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 Spl. Court of Excise, Patna City/concerned Court, where the case is pending in connection with Agamkuan P.S. Case No. 280 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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