

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46004 of 2026

Arising Out of PS. Case No.-410 Year-2026 Thana- Excise P.S. District- Nawada

Rahul Kumar, Son of Surendra Prasad @ Surendra Prasad Yadav, Resident of
Village - Bishunpur, P.S.- Govindpur, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 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 Excise P.S. Case No.410 of 2026 registered under Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 13.500 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of petitioner has been transpired on the basis of disclosure made by apprehended co-accused namely, Roushan Kumar. It is submitted that the



recovery of alleged illicit liquor was not made from conscious physical possession of this petitioner rather same has been recovered from a motorcycle bearing Registration No.BR27F5971, which has not belonged to this petitioner. It is further submitted that the seizure list was not supported by independent witnesses rather by police personnel. The petitioner claimed clean antecedent.

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 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-2, Nawada in connection with Excise P.S. Case No.410 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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