

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79971 of 2025

Arising Out of PS. Case No.-1099 Year-2025 Thana- Excise P.S. District- Patna

Rajesh Kumar, Son of Late Bechan Prasad @ Bachan Prasad, Resident of
Village- Mirnagar, Post- Mirnagar, P.S.- Sarmera, Mirnagar, Dist.- Nalanda,
Bihar, 811105

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-01-2026 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 30(a),
32(2), 41(1), 56(b) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 980 litres spirit was
recovered from the tempo of which this petitioner is registered
owner.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in this case. No incriminating material has been
recovered from the conscious possession of this petitioner and
he is in no way connected with the aforesaid recovery.



5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of spirit was recovered from the vehicle of which this petitioner is registered owner and he has two criminal antecedents.

6. Considering the two criminal antecedents and the fact that huge quantity of spirit was recovered from the vehicle of which this petitioner is registered owner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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