

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80131 of 2025

Arising Out of PS. Case No.-357 Year-2025 Thana- RAMPUR District- Gaya

Ashish Kumar, S/o Santosh Kumar Resident of vill.- Bishunpura, Police station- Cherki, Distict- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay 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 317(5), 318(4), 338, 336(3) and 3(5) of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 10 litres country made liquor was recovered from the bike of the co-accused Sohit Kumar and a bag in hand of co-accused Devanti Devi.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The



petitioner has neither concerned with the motorcycle nor from the seized liquor. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Excise Court No. 1st, Gaya Jee in connection with Rampur P.S. Case No. 357 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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