

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85525 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- ARERAJ District- East Champaran

Anuj Kumar S/O Sanjay Sharma Resident of Village- Sharma Tola Ward No.
06 P.S.- Areraj District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Areraj
P.S. Case No. 154 of 2024 instituted for the offences under
Section 274, 275 of the B.N.S. and Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered
total 27.5 litres of illicit country made liquor from the straw
house of co-accused Sanjiv Choudhary and the petitioner was
arrested on the spot.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case due to highhandedness of the police as also on the basis of suspicion. The alleged house does belong to the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The police, under coercion and threat, took the thumb impression/signature of the petitioner on the plain paper and converted the same as seizure list. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.10.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on



furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Areraj P.S. Case No. 154 of 2024.

(Rudra Prakash Mishra, J)

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