

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6370 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- Excise P.S. District- Banka

Rajesh Kumar Sah S/o Hari Krishna Sah Resident of Village-Bara Palasi,
P.S.-Jama Palasi, District-Dumka(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Banka Excise P.S. Case No. 45 of 2024 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 240.480 litres
of Indian Made Foreign Liquor was recovered from Car.

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.
Petitioner has no knowledge and concern with the alleged
recovery. Nothing incriminating has been recovered from the
possession of the petitioner. It is submitted that the name of the



petitioner has transpired as being owner of the seized car. The petitioner is a man of clean antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail passed by this Court *vide* order dated 18.03.2024 in Cr. Misc. No. 20701 of 2024.

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. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Banka Excise P.S. Case No. 45 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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