

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4386 of 2025

Arising Out of PS. Case No.-29 Year-2024 Thana- Telta District- Katihar

Subhashish Kumar Bhardwaj @ Subhashish Bhardwaj S/O Suhir Jha R/O
Vill.- Chatar, Ward No.- 12, P.S- Araria (Nagar Thana) Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Telta P.S. Case No. 29 of 2024 dated 25.07.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, during the course of patrolling, when the informant reached 100 metres away from Kirora Panchayat Bhawan, he saw that one four wheeler was coming from Kirora Gram and on seeing the police party, the driver of the said vehicle started to flee away but the said car was stopped by the police party in which two persons were



apprehended by police and they disclosed their name as Subhashish Kumar Bhardwaj (petitioner) and Saurav Kumar. On search, total 313.39 litres of illicit foreign liquor was recovered from the seat and the dickey of the Hyundai Car. One loaded country made pistol and six live cartridges were also recovered from the first aid box of the car.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The driver of the said vehicle is the co-accused, Saurav Kumar and the said vehicle was not being driven by the petitioner at the time of the alleged recovery as stated in para 13 of the said vehicle. Learned counsel has further submitted that the petitioner has no concern with the alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 25.10.2024 passed in Cr. Misc. No. 67663 of 2024. The petitioner has three criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Telta P.S. Case No. 29 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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