

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3426 of 2025

Arising Out of PS. Case No.-247 Year-2024 Thana- GORAUL District- Vaishali

Rajesh Kumar S/O Shankar Prasad Gupta R/O Village- Kot Bajar, P.S- Town
Sitamarhi, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Goraul
P.S. case No. 247 of 2024 registered under Sections 30(a),
32(ii) and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 214.56
liters liquor was recovered from Alto vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent.
The petitioner is not named in the F.I.R. It is submitted that the
name of the petitioner has transpired as being owner of the
vehicle in question which was used by the driver as taxi. No



incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no knowledge and concern with the alleged recovery of liquor. There is no compliance of Section 103 of B.N.S.S., 2023.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Goraul P.S. case No. 247 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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