

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4652 of 2025

Arising Out of PS. Case No.-318 Year-2024 Thana- AMNAUR District- Saran

Rajeshwar Pd. Sah @ Rajeshwar Sah @ Godhan Shah @ Godhan Sah S/O
Late Devdat Sah R/O Village - Kishunpur , P.S.- Bheldi, District - saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 33, 34, 47 of the Bihar Prohibition and Excise Act, 2016.

3. Altogether 1365 litres spirit has been recovered from the seized vehicles.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner or from his house. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. He



was not apprehended on the spot. His name has been transpired in the present case merely because he is the registered owner of one of the seized vehicles. Though the Pickup Van bearing Reg. No. BR-06GD-4840 belongs to this petitioner, but he had no knowledge of keeping of the said liquor in his vehicle as the said vehicle is a commercial vehicle. Learned counsel further submits that petitioner has five criminal antecedents as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.30,000.00 (Rupees Thirty Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, Patna, bearing Account No.7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Amnour P.S. Case No. 318 of 2024, subject to the condition as laid down under Section 482 (2) of the



B.N.S.S., 2023, subject to the further conditions that

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the Lawyer's Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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