

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8639 of 2025

Arising Out of PS. Case No.-154 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Rupesh Kumar Son of Jaleshwar Singh @ Jageshwar Singh village - Fatehpur
, Police station - Musrigharari , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

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

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Musrigharari P.S. Case No. 154 of 2024 registered for the offences punishable under Sections 319(2), 318(2) of the B.N.S.S. and 30(a), 33, 36, 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 179.25 litres of foreign liquor and 210 litres of spirit like solution, some empty bottles, bottle caps and wrappers was recovered from the house of co-accused Pankaj Paswan.

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 conscious possession of the petitioner. It is submitted that the name of the petitioner has transpired on the basis of confessional statement of co-accused Pankaj Paswan. The petitioner has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted anticipatory bail passed by this Court vide order dated 08.01.2025 in Cr. Misc. No. 89313 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) 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 Musrigharari P.S. Case No. 154 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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