

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10446 of 2025

Arising Out of PS. Case No.-127 Year-2024 Thana- SIWAIPATTI District- Muzaffarpur

Arun Kumar Son of Navalkishor Sah @ Nawal Kishor Sah Resident of Vill-
Sonaul, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Siwaipatti P.S. Case No. 127 of 2024 registered for the offences punishable under Sections 317(5), 3(5) of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1251 litres of foreign liquor was recovered from Mahindra Pick-up Bolero vehicle.

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 petitioner is neither the owner nor the driver of the seized vehicle. It is further submitted that petitioner's name was transpired on the confessional statement of apprehended co-accused person namely Jitendra Kumar. The petitioner has two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 02.12.2024 passed in Cr. Misc. No. 81796 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 Siwaipatti P.S. Case No. 127 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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