

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14104 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- KURSAILA District- Katihar

Rajesh Kumar S/O Shravan Mahto @ Shrvan Mahto Resident of Village-
Nawadih Kant Nagar, P.S- Barari, District- Katihar. (The Father name of the
petitioner has wrongly been mentioned as Sarvar Kumar Mahanth in the FIR
in place of Shravan Mahto).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kursela P.S. Case No. 04 of 2025 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 969
liters of foreign liquor was recovered from Parcel van.

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 the name of the petitioner has transpired as being registered owner of the seized vehicle in question and he has no knowledge regarding the nature of goods booked by the transporter. It is further submitted that the name of the petitioner has transpired on the confessional statement of apprehended co-accused person. The petitioner has 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 regular bail passed by this Court vide orders dated 17.02.2025 and 18.02.2025 in Cr. Misc. Nos. 8050 of 2025 and 8865 of 2025 respectively.

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 Kursela P.S. Case No. 04 of 2025, 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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