

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14962 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Haraiya District- East Champaran

Sanjay Kumar Son of Chandrika Thakur Prop. Maa Kamakhya, Hardware and
Paints, Resident of Mohalla- Raja Bazar, (Balua Tal), Motihari, P.S.- Town,
Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Sheela Pandey, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Haraiya P.S. Case No. 21 of 2024 registered for the
offences punishable under Sections 318(4), 338, 336(3), 340(2),
61(2) of B.N.S. and Sections 30(a) 41(1), 31, 33, 38, 47 of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 4000 liters of
spirit was recovered from go-down.

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 go-down does not belong to the petitioner. The petitioner is a man of clean antecedent. 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 27.01.2025 passed in Cr. Misc. No. 2642 of 2025.

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 Haraiya P.S. Case No. 21 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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