

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22269 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- FATEHPUR District- Gaya

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Bipin Kumar S/o Kailash Yadav R/o vill and P.O. - Gurpa, P.S.- Gurpa, Distt.-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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

ORAL ORDER

2 04-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Fatehpur P.S. Case No. 22 of 2025, registered under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 450 liters
liquor was recovered from three motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel
for the petitioner also submits that the petitioner is neither



named in the FIR nor he was present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Dinesh Kumar and the same has got no evidentiary value. The petitioner has got no concern with the motorcycles and co-accused persons. The petitioner has got one criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 24.02.2025 passed in Cr. Misc. No. 10374 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/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 Court below/concerned Court in connection with Fatehpur P.S. Case No. 22 of 2025, subject to the conditions as laid down under Section 483(2) of the Bharatiya Nagarik Suraksha Sanhita,



2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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