

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20750 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Vijay Rajak S/O Fulchand Rajak R/O Village- Jeetpur, P.S- Bakhri, Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate
		Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s :		Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered under Section 61(2) of the Bharatiya Nyaya Sanhita, Sections 30(a), 32, 41 of Bihar Prohibition and Excise Act and Sections 25(1-AA), 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on secret information with respect to unloading illegal wine from Hyva vehicle at Nirpur (Samsa) village, the police personnel reached at the place of occurrence and found that Hyva bearing Reg. No. JH13-F-4780 standing on the roadside and on seeing the police the petitioner and other co-accused persons tried to flee away but on chase the petitioner was apprehended on spot. On search, 794.625 litres of illicit foreign liquor was recovered from the Hyva vehicle and two loaded pistol & 27 round illegal cartridges were recovered from the waist of the petitioner.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely on confusion and suspicion. Further submission is that petitioner has no concern with the seized illicit liquor, pistol and cartridges. All the seizure list witnesses are police personnel. Petitioner has 5 criminal antecedents and in all the cases, petitioner is on bail. Petitioner is in custody since 14.01.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. for the State opposes the prayer for regular bail and submits that petitioner was apprehended on the spot with two pistols and illegal cartridges and he has got 5 criminal antecedents. Therefore, petitioner does not deserve the privilege of bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties, huge quantity of recovery and arms as well as long criminal history of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for regular bail is, hereby, rejected.

(Sunil Dutta Mishra, J)

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