

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23842 of 2025

Arising Out of PS. Case No.-745 Year-2024 Thana- GARKHA District- Saran

Raj Kumar S/o Nawal Ray R/o Village- Newal Tola, Sabalpur, P.S.- Sonapur,
Dist.- Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Advocate
: Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Garkha P.S. Case No. 745 of 2024 instituted for the
offences punishable under Sections 30(a), 36, 38, 41 of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 594.720
litres of liquor was recovered from Truck.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The



name of the petitioner transpired in this case on the basis of confessional statement of co-accused. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the vehicle. It is further submitted that petitioner is only the co-driver of the vehicle in question and has no knowledge regarding the goods loaded in the vehicle. The petitioner has three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted regular bail by this Court vide order dated 05.03.2025 passed in Cr. Misc. No. 15787 of 2025.

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 of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garkha P.S. Case No. 745 of 2024, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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