

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27240 of 2025

Arising Out of PS. Case No.-778 Year-2024 Thana- BEUR District- Patna

Rohit Kumar S/o Shiv Shankar Singh R/o Sadikpur, P.S.- Maner, Distt.- Patna
At present R/o Chandmari Road, P.S.- Kankarbagh, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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

ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Case No. 1802 of 2024 arising out of Beur P.S. Case No. 778 of 2024 registered for the offences punishable under Sections 30(a), 37 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 210 liters of illicit country-made liquor from E-Rickshaw.

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. The petitioner was neither apprehended on spot nor anything



incriminating has been recovered from his conscious possession. The petitioner is the owner of the alleged E-Rickshaw and he had given the same to the co-accused Arvind Kumar on fixed amount on daily basis. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the driver of the alleged E-rickshaw/co-accused Arvind Kumar has already been granted regular bail by this Court vide order dated 12.02.2025 passed in Cr. Misc. No. 6642 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, 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 Special Case No. 1802 of 2024 arising out of Beur P.S. Case No. 778 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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