

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32002 of 2025

Arising Out of PS. Case No.-476 Year-2024 Thana- RANIYATALAB District- Patna

Rajan Kumar S/O Viroj Nat @ Birog Nat Resident of Village- Azad Nagar,
Vajirpur (Raghunathpur Nahar), P.S.- Ranit Talab, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kishore, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Rani Talab P.S. Case No. 476 of 2024 registered for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, during raid being conducted against manufacturing, selling, transporting and consumption of illicit liquor, a person started running away on seeing the police party leaving behind a jerry can and from the said can 13 litres of illicit country made Mahua liquor was recovered. The petitioner is stated to be the person who fled away from the spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The alleged recovery has been made from behind the house of the petitioner but the petitioner has no concern with the seized liquor or the place from where the recovery has been shown. Seizure list was not prepared in terms of Section 103(4) of B.N.S.S. Neither the petitioner was present on the spot nor he fled away from there and no recovery has been made from the petitioner and hence, no prima facie case is made out against the petitioner under Bihar Prohibition and Excise Act. The petitioner has no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Special Excise Judge, Danapur,
Patna/concerned court in connection with Rani Talab P.S. Case
No. 476 of 2024, subject to the condition as laid down under
Section 482(2) of the B.N.S.S. and other following conditions :

- (i) One of the bailors will be a close
relative of the petitioner.
- (ii) The petitioner will remain present
on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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