

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32115 of 2025

Arising Out of PS. Case No.-401 Year-2024 Thana- CHIRAIYA District- East Champaran

Gagan Rai @ Gagandeo Rai @ Gagandev Rai Son of Ramdeo Rai @ Ramdev
Rai Resident of Village - Motnaje, P.S.- Chiraiya, District - East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Chiraiya P.S. Case No. 401 of 2024 registered for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 30(a) & 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case in short is that 250 litres liquor was recovered from a vehicle (jhugar vehicle).

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. 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. Name of the petitioner has surfaced in this case on the disclosure made by co-accused. It is further submitted that the vehicle in question does not belong to the petitioner. Petitioner is a man of clean antecedent. Other co-accused has been granted bail by this Court vide order dated 21-01-2025, passed in Cr. Misc. No. 1515 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, 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 Chiraiya P.S. Case No. 401 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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