

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32284 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- PUSA District- Samastipur

Raj Kishore Thakur S/o Ramanand Thakur R/o Village - Harpur Bhuskaul,
P.S. - Pusa Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Pusa P.S. Case No. 28 of 2025 registered on 13.03.2025 for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on secret information that petitioner has been keeping foreign liquor in his bamboo clump, a raid was conducted and recovery of 1.83 litres of foreign liquor was made. Petitioner is stated to have fled away from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Recovery has been made from



behind the house of the petitioner which is an open place accessible to all. Nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the seized liquor. The place from where recovery has been made does not belong to this petitioner. The *Mahal Chowkidar* named this petitioner as the person who flee away from the spot because of the inimical relationship. Petitioner is having clean 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 also considering his clean antecedent coupled with possibility of false implication, let the petitioner named above, 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Samastipur/ court concerned in connection with Pusa P.S. Case No. 28 of 2025, subject to the condition 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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