

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32806 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- MANJHI District- Saran

Rajesh Kumar Gupta @ Rajesh Kumar S/o Nand Kishore Gupta Resident of
village- Gola Bazar, Parbejabad, Police Station- Sonapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Manjhi P.S. Case No. 57 of 2025 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition &
Excise Act.

3. As per prosecution case, the police has recovered
total 180.90 liters of illicit liquor from the Tempo.

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 Tempo and was not aware of the illicit liquor being kept in the same. The petitioner has one criminal antecedent in which he is on bail 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 co-accused persons have been granted regular bail by this Court vide order dated 28.03.2025 passed in Cr. Misc. No. 18826 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 Manjhi
P.S. Case No. 57 of 2025, 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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