

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33772 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- PATHAMARI District- Kishanganj

Dinanath Jha Son of Late Umakant Jha Resident of Village - Rahua Rajaram,
P.S.- Mushari, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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

ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends arrest in connection with

Pathamari P.S. Case No. 37 of 2024, registered under Section

30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1769.67

liters liquor was recovered from two Bolero pick-up vehicles

out of which 908.250 liters of liquor was recovered from the

vehicle of the petitioner.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in the

present case. The petitioner has got no concern with the alleged

recovery of liquor. Learned counsel for the petitioner also



submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case as being owner of one Bolero pick-up vehicle and he has got no knowledge regarding the nature of goods loaded in the vehicle. Learned counsel for the petitioner, therefore, contends that *prima-facie*, no case is made out against the petitioner. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 18.02.2025 passed in Cr. Misc. No. 8429 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/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 Court below/concerned Court in connection with Pathamari P.S. Case No. 37 of 2024, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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