

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35598 of 2025**

Arising Out of PS. Case No.-548 Year-2024 Thana- TURKAULIYA District- East
Champaran

Jitendra Ram Son of Ganesh Ram R/O Vill- Jaisinghpur Retwa Gharwari,
P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends arrest in connection with
Turkauliya P.S. Case No. 548 of 2024, registered under Section
317(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections
30(a), 41(i) and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 60 liters
liquor was recovered from several plastic bags and a
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent 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. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. The petitioner is not the owner of the motorcycle in question. Name of the petitioner has transpired in this case on the basis of confessional statement of co-accused person and the same has got no evidentiary value. 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 03.04.2025 passed in Cr. Misc. No. 20153 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 Turkauliya P.S. Case
No. 548 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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