

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36879 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- RAXAUL District- East Champaran

Rajesh Prasad @ Rajesh Kumar Son of Late Jairam Prasad, Resident of village - Naga Road, Ward No.- 11, P.S.- Raxaul, District - East Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 15-09-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Raxaul P.S. Case No.100 of 2025 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 45.6 litre illicit foreign liquor from the house of the petitioner which was given on rent and the renter/co-accused Mithilesh Gupta fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being the owner of the house from where the recovery has been made. He further submits that the said house was given on rent to the co-accused Mithilesh Gupta and the petitioner has no



concern with the illegal act of the co-accused and he had no knowledge about the same. Learned counsel submits that petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. He further submits that petitioner has one criminal antecedent which does not belong to Excise Act and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.3, Motihari, East Champaran in connection with Raxaul P.S. Case No.100 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

Ritik/-

U		T	
---	--	---	--

