

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37748 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Dhiraj Kumar Singh @ Dhiraj Kumar @ Dhiraj Kunwar S/O Ajay Singh @
Ajay Kunwar Resident of village- Dilawarpur, P.S.- Kaleyapur, Distt.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kuchaikote P.S. Case No. 79 of 2025 registered for the
offences punishable under Sections 317(5), 3(5) of the Bhartiya
Nyaya Sanhita and Section 30(a) of the Bihar Prohibition &
Excise Act.

3. As per prosecution case, the police has recovered
609.840 liters of illicit liquor from the car.

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 name of the petitioner has transpired in this case in course of investigation on the basis of the statement of the co-accused. The petitioner has one criminal antecedent 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. The alleged Maruti Suzuki car does not belong to the petitioner. 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 22.04.2025 passed in Cr. Misc. No. 24591 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
Kuchaikote P.S. Case No. 79 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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