

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38335 of 2025

Arising Out of PS. Case No.-117 Year-2024 Thana- BARURAJ District- Muzaffarpur

Omprakash Patel S/o Indradev Patel R/o Vill- Rajepur, P.S.- Sahebganj
(Rajepur O.P.), Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, 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 Baruraj P.S. Case No. 117 of 2024 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 682.530 illicit liquor was recovered from asbestos made Pujaghar of co-accused Sujit Kumar who fled away from the spot. A scooty was also seized.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in this case. He submits that the *Puja Ghar* does not belong to the petitioner and even the scooty does not belong to him. He submits that similarly situated other co-accused person, namely,



Sujit Kumar @ Himraj Kumar has been granted anticipatory bail by a co-ordinate Bench of this Hon'ble Court vide order dated 11.12.2024 passed in Cr. Misc. No. 82907 of 2024. He further submits that the petitioner has no criminal antecedent and seizure list witnesses are also members of the raiding party.

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 Special Judge Excise-II, Muzaffarpur in connection with Baruraj P.S. Case No.117 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

AjayMishra/-

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