

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44334 of 2025

Arising Out of PS. Case No.-481 Year-2024 Thana- BUXAR District- Buxar

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Anshu Rajak S/o Karim Rajak R/o Village- Sohani Patti Buxar, P.S.- Buxar
Town, Districty- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anand Kumar Ojha, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Buxar
(T) P.S. Case No. 481 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 61.875 liters of illicit liquor from the motorcycle as well as
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
due to highhandedness of the police. He further submits that
nothing incriminating has been recovered from the conscious
possession of the petitioner. The petitioner is neither owner nor
driver of the alleged vehicles. The petitioner was not present at



the spot and his name has been disclosed by the apprehended co-accused. The petitioner has also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has ten criminal antecedents and is languishing in judicial custody since 19.04.2025 without any rhymes or reason. He further submits that co-accused Ajay Kumar and Pintu Kumar have already been granted regular bail by a Co-ordinate Bench of this Court vide orders both dated 23.10.2024 passed in Cr. Misc. Nos. 75085 of 2024 and 75192 of 2024 respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar (T) P.S. Case No. 481 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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