

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39397 of 2025

Arising Out of PS. Case No.-322 Year-2024 Thana- Excise P.S. District- Buxar

Vijay Kumar Rahi S/O Late Sadan Prasad R/O Vill.- Patel Nagar, P.s.-
Harnaut, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Buxar Excise PS Case No. 322 of 2024 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act and Sections 3(5) & 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total 1837.440 litres of liquor was recovered from pickup Bolero.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case as being owner of the vehicle in question, but in this connection it is submitted that petitioner sold the vehicle to one Dhananjay Kumar in the



year 2023. Learned counsel for the petitioner, therefore, contends that *prima-facie* no case is made out against the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 16-12-2024, passed in Cr. Misc. No. 84953 of 2024.

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 of the case, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar Excise PS Case No. 322 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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