IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46058 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- KASBA District- Purnia

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Raja Yadav @ Raja Kumar Son of Sanjay Yadav @ Vinod Yadav Resident of Sarna Chok PS -Sadar District -Purnea

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Kasba P.S. Case No. 107 of 2025, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 317.855 liters liquor was recovered from car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner was neither present at the place of occurrence nor named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Rajesh Shah and the same has got

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no evidentiary value. Learned counsel for the petitioner, therefore, contends that *prima-facie,* no case is made out against the petitioner. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 04.07.2025 passed in Cr. Misc. No. 44739 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kasba P.S. Case No. 107 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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