

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54213 of 2025

Arising Out of PS. Case No.-719 Year-2023 Thana- TAJPUR District- Samastipur

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Balaram S/O Heeraram @ Hira Ram R/O Vill.- Gavariyon Ki Dhani Bhiyad,
P.S.- Barmer, District- Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Tajpur P.S. Case No. 719 of 2023, instituted for the offences punishable under Sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 864 liters liquor was recovered from three different vehicles.

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 has been falsely implicated in this case merely because of his being the registered owner of the truck bearing



Regd. No. RJ-39-GA-1668 but, as a matter of fact, he had given the same on rent to the third party for transportation purposes and was not aware of the fact that his truck is being used for the illegal activities and, thus, learned counsel for the petitioner submits that prima-facie no case is made out against the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no 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. 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 Manoj Kumar Singh has been granted regular bail by this Court vide order dated 14.03.2024 passed in Cr. Misc. No. 19063 of 2024.

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.15,000/- (Rupees Fifteen 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 Tajpur P.S. Case No. 719 of 2023, 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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