

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49426 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- BAUNSI District- Araria

Rakesh Kumar @ Rakesh Rajak Son of Pujo Rajak Resident Of Village
-Chhath Pokhar Panchwati Colony Sudhin Chowk Police Station- Sahayak
Khajanchi District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Bausi P.S. Case No. 37 of 2025 instituted for the offences
punishable under Sections 111(2), (ii)(3) of the BNS and 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 131.85
litres of liquor was recovered from Maruti Suzuki Car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. It is further submitted that the name
of the petitioner has transpired as being the owner of the vehicle



in question and has no knowledge regarding the goods loaded in the vehicle. Learned counsel further submitted that, prima-facie, no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court 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 Bausi P.S. Case No. 37 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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