

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53477 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- Raghunathpur District- East Champaran

Rohit Kumar Son Of Hiralal Mahto @ Heeralal Mahto R/O Vill.- Sapahi
Sagra, P.S.- Raghunathpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP

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

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with Raghunathpur P.S. Case No. 96 of 2025 instituted for the offences under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 70 litres of liquor was recovered from the bank of river.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. It is submitted that recovery is made from an open place, which is accessible to one and all. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner, therefore, contends 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. Similarly situated other co-accused person has been granted regular bail by this Court vide order dated 02.07.2025 passed in Cr. Misc. No. 41032 of 2025.

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 Raghunathpur P.S. Case No. 96 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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