

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51071 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- TURKAULIYA District- East
Champaran

=====

BABU SAHAB @ PRAKASH KUMAR S/o- Gajendra Rai @ Gahu Ray @
Gajendra Ray Village- Khagdani Ps- Turkauliya Dist- East Champaran
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

=====

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

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest in connection
with Turkauliya P.S. Case No. 159 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 131.76
litres of foreign liquor was recovered from Hut of co-accused
Harendra Ram.

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 on the basis of
apprehended co-accused person. The petitioner has got no
concern with the alleged recovery of liquor. Learned counsel
further submitted that recovery is made from the co-accused



person. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. The petitioner has two criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted regular bail by this Court vide order dated 07.07.2025 passed in Cr. Misc. No. 41852 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail of 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 Turkauliya P.S. Case No. 159 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/-

U		T	
---	--	---	--

