

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52201 of 2025

Arising Out of PS. Case No.-157 Year-2025 Thana- RAJAPAKAR District- Vaishali

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Pankaj Kumar S/o Sitab Ray Resident of Village- Fatehpur Pakri, P.S.-
Mahua, District- Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Pratima Kumari, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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**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
Rajapakar P.S. Case No. 157 of 2025 instituted for the offences
under Sections 317(5) of B.N.S. and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 280 litres of
liquor was recovered from Bolero.

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
disclosure made by apprehended co-accused person. Learned
counsel further submitted that petitioner is neither the owner nor
the driver of the vehicle. 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 two criminal antecedents in which he is on bail. 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 03.07.2025 passed in Cr. Misc. No. 41776 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 Rajapakar P.S. Case No. 157 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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