

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51141 of 2025

Arising Out of PS. Case No.-261 Year-2019 Thana- BAISI District- Purnia

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1. Ramesh Tewari
 2. Rajesh Tewari @ Naresh Tewari
Both S/o Late Srinath Tewari R/o House no 3, Dilkhush, ST Park Circus
Avenue, P.S.- Karaya, Distt.- Kolkata, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shabina Talat, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-07-2025 Heard Ms.Shabina Talat, learned counsel for the

petitioners and Mr.Sanjay Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Baisi P.S.Case No.261 of 2019, FIR dated
13.11.2019 registered for the offences punishable under
Sections 272 and 273 of IPC and Sections 30(a),41,47 of Bihar
Prohibition and Excise Amendment Act, 2016.

3. As per the prosecution story, on 13.11.2019 at
around 1:45 AM, Police received secret information about a
Pick-up van transporting illegal liquor from Dalkola to Purnea.
Upon this information, the Police set up a checkpoint at



Dangraha Bridge and upon seeing the Police, the driver the pick-up van tried to flee but was caught. He identified himself as Sunil Yadav. Sunil Yadav revealed that a person named Murshid from Dalkola had instructed him to transport the liquor to Purnea. Upon search of the vehicle, a total of 882 liters of illicit foreign liquor and cash of Rs.10,700/- along with two mobile phones, were recovered.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case. Petitioners are not named in the FIR. The name of the petitioners has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Murshid Alam who happens to be the driver of the truck in question. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. It appears from the F.I.R. and seizure list that nothing has been recovered from conscious possession of the petitioners rather the recovery has been made from the truck in question and the petitioners are neither the owner nor the driver of the truck in question.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and



submits that the petitioner carries three more cases of similar nature other than the present one and apart from that, the petitioners are involved in the present crime in question.

6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Baisi P.S. Case No. 261 of 2019 pending in the court of the Exclusive Special Judge, Excise Court No. 1, Purnea.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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