

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51995 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- CHIHARA District- Jamui

Rahul Kumar S/O Premshankar Prasad Singh Village- Ambari, P.S.- Chihara,
District- Sheikhpura Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Kumar Uday Pratap, 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
Chihra P.S. Case No. 39 of 2024 instituted for the offences
under Sections 30(a) and 32 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 1080 litres
of liquor was recovered from the Truck.

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
confessional statement of 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 no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused persons have been granted regular bail by this Court vide orders dated 30.01.2025 and 18.07.2025 passed in Cr. Misc. Nos. 3838 of 2025 and 43949 of 2025 respectively.

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 Chihra P.S. Case NO. 39 of 2024, 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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