

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53968 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- BARGAINIA District- Sitamarhi

Rameshwar Kushwaha S/O Gangaram Mahto Resident Of Village-
Nandwara, P.S.- Bairgania, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mrs. Asha Devi, 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 Bairgania P.S. Case No. 190 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 288 litres of liquor was recovered from gunny bags.

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 of local chowkidar. 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 has been granted regular bail by this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 43096 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 Bairgania P.S. Case No. 190 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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