

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55835 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- SARAI RANJAN District- Samastipur

Rajesh Raushan @ Rajesh Ram @ Rajesh Sharma Son of Late Mauzelal Ram
@ Maujelal Ram, R/o Vill.- Basahi Bhindi, P.S.- Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narsingh Tanti, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 17-10-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sarai Ranjan P.S. Case No.103 of 2025 instituted under Sections 30(a) & 41(1), (2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 2752.965 liter illicit foreign liquor from Ten-Wheeler Truck, Bolero, Scorpio and motorcycle collectively near the *Chaur* of Harilochanpur Tiswara and it is alleged that all the accused persons fled away from the spot leaving their vehicles after seeing the police team.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to his criminal antecedents and the disclosure made by



the local *Chaukidar* due to local politics. He further submits that petitioner is neither owner nor driver of any of the vehicle and he has no concern with the alleged recovered liquor. Learned counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner. He further submits that there is no independent witness in the seizure list. Learned counsel submits that similarly situated co-accused persons have already been granted bail by this Court as well Co-ordinate Bench of this Court *vide* orders dated 01.09.2025 passed in Cr. Misc. No.55665 of 2025 and 24.09.2025 passed in Cr. Misc. No.61460 of 2025. He further submits that petitioner has five criminal antecedents, out of which two belongs to the Excise Act and he is on bail in all the cases. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and the submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Court concerned, Samastipur in connection with Sarai Ranjan P.S. Case No.103 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with further following conditions:-

(i) The petitioner shall cooperate in investigation and trial of the case and shall also appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Sunil Dutta Mishra, J)

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