

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54344 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- PIPRAKOTHI District- East Champaran

Ramesh Kumar Rai @ Ramesh Kumar @ Ramesh Rai S/O Late Sakal Rai
Resident of Village- Mathiya Bariyarpur, P.S.- Piprakothi, District- East
champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Piprakothi P.S. Case No. 29 of 2025 registered for the
offences punishable under Sections 274, 275, 123, 110 of he
B.N.S., 2023 and Section 30(a) Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
total 500 liters of illicit spirit from the *bathan* of the co-accused
Lakhindra Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



The petitioner was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the co-accused Lakhindra Kumar before the police. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. Learned counsel for the petitioner accordingly submits that no case *prima facie* is made out against the petitioner. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused has been granted regular bail by this Court vide order dated 29.04.2025 passed in Cr. Misc. No. 28337 of 2025. He further submits that the co-accused Parma Gupta has also been granted anticipatory bail by this Court vide order dated 09.05.2025 passed in Cr. Misc. No. 31413 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or 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.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Piprakothi P.S. Case No. 29 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

