

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56129 of 2025

Arising Out of PS. Case No.-179 Year-2022 Thana- SHASTRINAGAR District- Patna

Phonu @ Suraj Rajak S/O Vitan Rajak @ Vitam Rajak R/O Mohalla-Khajpura Maurya Path, Mushahari, Police Station- Shastrinagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Shastrinagar P.S. Case No. 179 of 2022 instituted under Sections 30(a), 32(ii), 36 and 42 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 31 liter country made liquor from the hut of the petitioner. It is alleged that family members of the petitioner was residing in that hut.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that the place of occurrence i.e. hut is an abandoned hut where nobody resides. He submits that the



petitioner has no concern with the seized liquor and he has been made accused in this case due to one criminal antecedent of the year, 2020 in which he is on bail. He further submits that the 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 submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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 Special Judge, Excise 2nd Patna in connection with Shastrinagar P.S. Case No. 179 of 2022, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

AjayMishra/-

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