

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57522 of 2025

Arising Out of PS. Case No.-613 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Raju Kumar Rajak @ Raju Kumar Son of Radhe Rajak, R/o Village - Ward
No.01, Shivpuri Dhala, P.S. - Saharsa Sadar, District – Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Ms. Renu Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Saharsa P.S. Case No.613 of 2025 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 33
litre illicit foreign liquor from the asbestos shop of petitioner
situated near Shivpuri Dhala, Saharsa. It is alleged that the said
illicit foreign liquor was kept in the asbestos shop by the
petitioner and co-accused Premchandra Kumar who were fled
away from the spot after seeing the police.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. He further submits that the
shop from where the recovery of illicit liquor has been made is
not in name of petitioner and he has no control over the said



shop. Learned counsel submits that petitioner has no concern with the seized illicit liquor and no incriminating article has been recovered from his conscious possession. He further submits that there is no independent witness to the seizure list. Learned counsel submits that petitioner has no criminal antecedent and he 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 Exclusive Special Judge, Excise-II, Saharsa in connection with Saharsa P.S. Case No.613 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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