

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58205 of 2025

Arising Out of PS. Case No.-591 Year-2024 Thana- GARKHA District- Saran

Rajesh Kumar Prasad Son of Shashi Prasad Village- Gopur, Ps- Garkha, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Garkha P.S. Case No. 591 of 2024 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of total 50 litres country made liquor from the three co-accused persons who were apprehended by the Police on the spot. Motorcycle of the petitioner was standing near the place of occurrence and the same was also seized by the Police.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and the petitioner has no concern with the other



co-accused persons or with the seized liquor. There is no specific allegation against the petitioner with respect to his involvement in the present offence. The petitioner has one criminal antecedent which is not of the similar nature in which he is on bail 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 Additional Sessions Judge Cum Exclusive Special Court, Excise Act-I, Saran at Chapra in connection with Garkha P.S. Case No. 591 of 2024, 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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