

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64888 of 2025

Arising Out of PS. Case No.-420 Year-2024 Thana- NAUTAN District- West Champaran

1. Rajan Kumar @ Ranjan Kumar Son of Upendra Chaudhari R/o village - Jhakhra Maniyari, Wa, P.S.- Jagdishpur, District - West Champaran, Bettiah
2. Suraj Sahani @ Suraj Kumar Son of Gagandev Sahani @ Lagan Deb Sahani R/o village - Jhakhra Maniyari, Wa, P.S.- Jagdishpur, District - West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in a case instituted under Sections 191(2), 191(3), 190, 115(2), 109, 121(1), 132, 352, 351(2) of B.N.S. and 27 of the Arms Act and Sections 30(a), 41(1) and 45 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police intercepted a motorcycle and recovered 1.62 litres Indian made foreign liquor. The motorcyclist was apprehended on the spot. Thereafter some persons having armed with weapons came there and assaulted the police personnel and forcibly made free the apprehended person. On the disclosure made by local *chaukidar*, the



petitioners and other accused persons were identified as being involved in the said offence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case on the basis of disclosure statement made by *chaukidar*. Petitioners were not apprehended on the spot. Nothing has been recovered from conscious possession of the petitioners. Petitioners have no concern either with the seized liquor or the said motorcycle. There is general and omnibus allegation against the petitioners. It is further submitted that similarly situated co-accused Subhash Kumar @ Shubash has already been granted bail by a coordinate Bench of this Court vide order dated 05.08.2025 passed in Cr. Misc. No. 47997 of 2025. The petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Nautan P.S. Case No.420 of 2024, subject to the conditions as laid down in Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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