

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67488 of 2025

Arising Out of PS. Case No.-640 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Ravi Kumar Rajak @ Amit Kumar Rajak S/o Chandrashekhar Rajak R/o
Gardanibagh, Road No. 17, near Narayan Nagar, P.S.- Durgawati, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the State : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Mohaniya P.S. Case No. 640 of 2023, dated 07.09.2023, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Section 414 of the Indian Penal Code.

3. As per allegation, 204 litre of illicit liquor has been recovered from the two cars and driver of one of the cars was also arrested along with the seizure of the contraband and as per his confessional statement, the petitioner was also present in another car, but he had fled away after seeing the police.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the allegation against the petitioner is based only on confessional statement of co-accused which has no evidentiary value. He further submits that nothing has been recovered from the possession of the petitioner and hence, no prima facie case is made out against him and the anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Mohaniya P.S. Case No. 640 of 2023, subject to the



conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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