

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67025 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- PANDAUL District- Madhubani

Durgesh Kumar Jha @ Durgesh Jha S/o Prem Kumar Jha R/o - Dabhari, Ward
No.2, P.S - Pandaul, District - Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

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

2. The petitioner apprehends arrest in connection with
Pandaul P.S. Case No. 52 of 2025 dated 12.03.2025, registered
for the offence punishable under Sections 274, 275, 303(2),
317(2), 338, 336(3), 340(2), 341(1) and 3(5) of the B.N.S. and
u/s 25(1-b)a, 26 and 35 of the Arms Act and u/s 30(a) and 41(1)
of the Bihar Prohibition & Excise (Amendment) Act.

3. The allegation is of recovery of 9.75 litres of illicit
foreign liquor and 27 litres of illicit Nepali liquor from the two
motorcycles bearing Reg. Nos. BR32AU2337 and
BR01BG4722.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that nothing has been recovered from
conscious possession of the petitioner and he is not the owner of



the seized motorcycles. It has been submitted that the petitioner has been made accused only on the basis of confessional statement of apprehended person namely, Mantosh Jha. From the possession of co-accused one country made pistol was also recovered. Petitioner has no concern with the alleged recovery. Lastly, it has been submitted that the petitioner has two criminal case in which in both cases he is on bail.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Pandaul P.S. Case No. 52 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Judge, Excise Act, Madhubani, subject to condition as laid down under Section 482(2) of B.N.S.S.

(Khatim Reza, J)

Ranjeet/-

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