

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80058 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- BHAGWANPUR District- Vaishali

Rajeev Kumar @ Rajeev Rai, S/o Asheshwar Rai, Resident of Village- Mahua
Singh Rai, P.S.- Mahua, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Bhagwanpur P.S. Case No. 248 of 2025, dated 02.09.2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, the Police got information that the petitioner and other co-accused have brought huge consignment of illicit liquor from other State and the same is being loaded over in two pick up vehicles near Asatpur Satpura, Pawan Dhaba and when the Police reached the place, some persons started fleeing away seeing the light of Police vehicle. However, one truck and two pick up vehicles were parked there.



The Police tried to apprehend the persons fleeing but failed to apprehend them due to darkness in forest. On search, 5257.065 litres of illicit liquor has been recovered from the said vehicles.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. The petitioner is neither owner of any vehicles involved in the alleged offence nor he is driver of any of the vehicles. The petitioner has been implicated in this case only on the basis of suspicion and hear-say. He also submits that there is no *prima facie* material against the petitioner.

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 been made accused in four other cases of similar nature in which he is on bail.

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

8. Considering that no *prima facie* material against the petitioner, **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 Bhagwanpur P.S. Case No. 248 of 2025, 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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