

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87854 of 2024**

Arising Out of PS. Case No.-168 Year-2023 Thana- DHANAHA District- West Champaran

Rajnish Kumar Son of Vipin Prasad @ Vipin Chourasia Resident of village -  
Basmanpur, Police Station - Muffasil, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      30-01-2025      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2.      The petitioner seeks bail in connection with a case registered for the offence punishable u/s 30(a) of Bihar Prohibition and Excise Act, 2016.

3.      Altogether 252.900 liters of English Wine, empty gas cylinder and mobile phone are said to have been recovered from a truck. Driver of the said truck was apprehended on the spot.

4.      It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No incriminating article has been recovered from the conscious physical possession of petitioner. He has no concern either with



the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired only because police came to know during the investigation that petitioner is the owner of mobile no. 8809889877. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application and has been languishing in jail since 18.10.2024

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Dhanha P.S. Case No. 168 of 2023, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the



petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of regular bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Lawyers' Association Welfare Benevolent Fund, Patna.

**(Anjani Kumar Sharan, J)**

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