

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85921 of 2025

Arising Out of PS. Case No.-267 Year-2025 Thana- RAJEPUR District- East Champaran

1. Barun Kumar @ Varun Kumar Son of Hulas Rai @ Hulas Ray R/o Village - Harpur Junaida, P.S. - Motipur, Dist. - Muzaffarpur.
2. Ajay Rai @ Barka Son of Late Suresh Rai R/o Village - Harpur Junaida, P.S. - Motipur, Dist. - Muzaffarpur.
3. Surendra Rai Son of Late Banaras Rai R/o Village - Harpur Junaida, P.S. - Motipur, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2025 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Rajupur Police Station Case No. 267 of 2025, disclosing offence under Section 30(a) of Bihar Prohibition & Excise Act.

3. The prosecution case, as per the First Information Report, is that on 13.09.2025, at about 05:00 a.m, during the course of patrolling, driver of the pickup van was apprehended who disclosed his name as Ranjan Kumar Rai and further disclosed the name of fled away persons as petitioners. On



search, total 1435.305 litres of foreign liquor was recovered from the backside of the pickup van bearing Registration No. BR06GD3429.

4. Learned Counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Illicit foreign liquor was recovered from the pickup van bearing Registration No. BR06GD3429, which does not belong to the petitioners. The names of the petitioners have come on the disclosure made by arrested co-accused driver of the pickup van. Petitioners are neither the owner nor the driver of the vehicle in question. Nothing has been recovered from the conscious possession and/or vehicle belonging to the petitioners.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioners are not the owner of vehicle in question, nothing has recovered from the conscious possession and/or vehicle belonging to the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-3, Motihari, East Champaran, in connection with Rajepur Police Station Case No. 267 of 2025, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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