

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3801 of 2025

Arising Out of PS. Case No.-316 Year-2024 Thana- ADAPUR District- East Champaran

Rajeshwar Patel @ Rajeshwar Kumar S/O- Late Bindeshwari Patel @ Late
Bindeshwari Raut Village- Sirisiya Kala Ps- Adapur Dist- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Adapur P.S. Case No. 316 of 2024 registered for the offences punishable under Sections 317(5) of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 163.200 litres of Nepali liquor was recovered from Mahindra car and 1.8 litres of Nepali liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the



possession of the petitioner. It is submitted that petitioner is neither the owner nor the driver of the seized vehicles. The petitioner has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court vide order dated 17.12.2024 passed in Cr. Misc. No. 85604 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Adapur P.S. Case No. 316 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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