

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33154 of 2025

Arising Out of PS. Case No.-275 Year-2022 Thana- FATUA District- Patna

Rajesh Kumar S/O Brijan Singh R/O Village- Balwa, P.S.- Fatuha, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gaurav Kumar Verma
For the Opposite Party/s :	Mr. Shyameshwar Dayal
	Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-02-2026 Seen the office notes. The learned counsel for the petitioner submits that the defects have been removed.

2. Heard the learned counsel for the petitioner and the learned counsel for the State.

3. The petitioner apprehends arrest in connection with Fatuha P.S. Case No. 275 of 2022 registered for offences under Sections 341, 307, 353 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the police raided the place of occurrence and destroyed 5000Kg of fermented Mahua as well 200 liters of country-made liquor. The persons who are alleged to have involved in the illicit trade of liquor, created chaos and also opened fire.



5. The learned counsel for the petitioner submits that the petitioner is not named in the FIR. The FIR has been lodged against some unknown persons. The name of the petitioner has transpired in this case on the confessional statement of co-accused Santosh Kumar. He further submits that save and except the suspicion and confessional statement, no material has come against the petitioner.

6. The learned APP for the State has vehemently opposed the prayer for bail.

7. I have considered the submissions of the parties and have gone through the records. During investigation, it has come that the petitioner is the owner of the liquor which was recovered by the police.

8. Considering the fact that the petitioner was involved in manufacturing illicit liquor and that the criminals attacked and opened fire upon the police, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner in the present case.

9. Accordingly, the application for anticipatory bail is hereby rejected.

10. The occurrence is of the year 2022 and the petitioner is absconding. He is directed to surrender in the court



below within a period of one week from today and seek regular bail, failing which the Senior Superintendent of Police, Patna will take all steps for the arrest of the petitioner.

11. It is, however, clarified that the observations made herein are limited to the adjudication of the present application and shall not prejudice the case of the petitioner at any subsequent stage of the proceedings.

12. Let a copy of this order be communicated to the Senior Superintendent of Police, Patna through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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