

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27438 of 2026

Arising Out of PS. Case No.-588 Year-2025 Thana- BHORE District- Gopalganj

Rakesh Giri @ Rakesh Bharati S/o Vidya Giri R/o Village - Bhanpur Tola
Judawalpur, P.S - Bhore, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 317(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition And Excise Amendment Act, 2022.

3. The allegation in the First Information Report is that 225 litres of country made liquor was recovered from a car.

4. Learned counsel for the petitioner submits that the name of the petitioner has transpired on the basis of confessional statement of co-accused, Mohit Patel, who was arrested on the spot. There is no independent witness to the search and seizure. It is further submitted that there is no recovery from personal or conscious possession of the



petitioner.

5. Learned APP for the State opposed the prayer for anticipatory bail on the ground that the petitioner has two criminal antecedents of similar nature. However, in response it has been submitted that the petitioner is on bail in both the cases.

6. At this stage, the petitioner has offered to deposit a sum of Rs.3,000/- (Rupees Three Thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

7. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond 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 Bhore P.S. Case No. 588 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.



8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Soni Shrivastava, J)

anand/-

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