

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5340 of 2025

Arising Out of PS. Case No.-501 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Rajesh Kumar S/O Rambabu Sahni R/O Village- Sobhan Basantpur, P.S-
Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parvin Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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

ORAL ORDER

2 06-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Samastipur Muffasil PS Case No. 501 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 62 litres
of country made liquor was recovered from four gallons near
Gandak River.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 23.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Samastipur Muffasil PS Case No. 501 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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