

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5251 of 2025**

Arising Out of PS. Case No.-388 Year-2024 Thana- CHIRAIYA District- East Champaran

Vijay Rai @ Vijay Kumar S/O Muneshwar Rai @ Mushar Rai Resident of  
village- Sapgadha, P.S -Chiraiya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2      05-02-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with  
Chiraiya PS Case No. 388 of 2024 instituted for the offences  
under Sections 317(5) of B.N.S. and 30(a), 41(1) of the Bihar  
Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 80 litres  
of country made liquor was recovered from motorcycle.

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 motorcycle in question does not belong to the petitioner. It



is further submitted that local people disclosed the name of the petitioner. The petitioner is in custody since 05.12.2024 and has got one 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 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 Chiraiya PS Case No. 388 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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