

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6511 of 2025

Arising Out of PS. Case No.-254 Year-2024 Thana- RAHIKA District- Madhubani

Raj Kumar Ray @ Raja Ray Son of Laldhari Ray @ Shambhu Ray Resident
of Village- Kakraul, P.S.- Rahika, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rahika
PS Case No. 254 of 2024 instituted for the offences under
Sections 30(a) and 41(i) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 295.205
litres of liquor in which 180 litres of liquor was recovered from
car and 94.5 litres of liquor was recovered behind the house of
co-accused and 20.705 litres of liquor was recovered from the
shop.

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. It is further submitted that petitioner is neither the owner nor the driver of the seized vehicle. It is also submitted that apprehended co-accused disclosed the name of the petitioner. The petitioner is in custody since 17.12.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail passed by this Court *vide* order dated 28.01.2025 in Cr. Misc. No. 3159 of 2025.

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 Rahika PS Case No. 254 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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