

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6463 of 2025

Arising Out of PS. Case No.-379 Year-2024 Thana- RAJNAGAR District- Madhubani

Radhe Shyam Thakur @ Radheshyam Thakur S/o- Satya Narayan Thakur
Village- Maharajpur PS-Baboobarhi Distt-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 1404 of 2024 arising out of Rajnagar P.S. Case No. 379 of
2024 instituted for the offences under Sections 274, 275, 3(5) of
the Bhartiya Nyaya Sanhita and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 450 liters of illicit liquor from white Maruti Suzuki car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to local politics. He further submits that nothing



incriminating has been recovered from the conscious possession of the petitioner. The petitioner is the owner of Suzuki Wagon R car but, has no concern with the alleged recovered wine. The petitioner had given the alleged Wagon R car to his driver to ply the same and, thus, the petitioner had no knowledge of the illicit liquor being kept in the alleged vehicle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 23.12.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Mithilesh Kumar has been granted bail by this Court vide order dated 20.01.2025 passed in Cr. Misc. No. 844 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of Court below/concerned Court in
connection with G.R. No. 1404 of 2024 arising out of Rajnagar
P.S. Case No. 379 of 2024.

(Rudra Prakash Mishra, J)

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