

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15485 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- BAKHTIYARPUR District- Patna

Raushan Kumar S/O Tuna Ray Resident of Village - Chariya, P.S-
Bakhtiyarpur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 35 of 2025, instituted for the
offences punishable under Section 317(5) of the Bharatiya
Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 70 liters
liquor and two motorcycles have been recovered from the house
of the petitioner. The petitioner was apprehended on spot.

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. Learned counsel for the petitioner also submits that the alleged recovery has been made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 29.01.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bakhtiyarpur P.S. Case No. 35 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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