

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21652 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- KHAJAULI District- Madhubani

Nawal Kishor Rai @ Nawal Kumar Rai S/O Late Munni Dev Singh Rai R/O
Village- Laxmipur Nariyal Tole, P.S- Kaluahi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 07-04-2025 Heard Mr. Ravi Ranjan, learned counsel for the petitioner
and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Khajauli PS Case No. 18 of 2025 instituted for the offences
under Sections 274, 275 & 3(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 936 liters
foreign liquor was recovered from pickup van.

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. Learned counsel
contends that petitioner is neither the owner nor the driver of the



vehicle in question, but petitioner was allegedly arrested while fleeing away from the spot. In this connection, learned counsel submits that petitioner was passerby and has become the victim of the circumstances. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 01-02-2025 and has got one criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajauli PS Case No. 18 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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