

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27775 of 2025**

Arising Out of PS. Case No.-56 Year-2022 Thana- KAJRAILI District- Bhagalpur

Rajaram Kumar @ Raja Ram Son of Jaleshwar Sah @ Jailu Sah Resident of  
village - Pathraha, Ward No.- 9, P.S.- Gheladh, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate

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

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

ORAL ORDER

2      01-05-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Kajraili PS Case No. 56 of 2022 instituted for the offences  
under Sections 30(a), 32(i)(ii), 36 & 41 of the Bihar Prohibition  
and Excise Act.

3.      The prosecution case, in short, is that 40.50 liters  
foreign liquor was recovered from car.

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 petitioner was not present at the place of occurrence. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, namely, Bablu Kumar. Petitioner is neither the owner nor the driver of the vehicle in question. The petitioner is in custody since 25-01-2025 and has got six criminal antecedents. There is no compliance of Section 103 of the BNSS, 2023. Driver and owner of the vehicle have been enlarged on bail by this Court vide order dated 15-11-2022 and 13-01-2023, passed in Cr. Misc. No. 59715 of 2022 and Cr. Misc. No. 59497 of 2022, respectively.

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, ***after framing of charge, if not already framed***, 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 Kajraili PS Case No. 56 of 2022, subject to the following condition/s:-

(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.

(III) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(IV) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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