

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28205 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- Excise P.S. District- Nawada

Shankar Rajbanshi @ Shanker Rajvanshi Son of Late Babulal Rajbanshi
Resident Of Village- Jobkala Ps- Rajauli District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

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

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 234 of 2024 instituted for the offences punishable
under Sections 30(a), 30(c) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 250
litres of liquor has been recovered from bushes and 9000 Kg
mahua was destroyed at the spot.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from an open place accessible to public at large. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 01.02.2025 and has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 07-03-2025, passed in Cr. Misc. No. 14513 of 2025.

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, ***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 Excise P.S. Case No. 234 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 Kishore/-

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