

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24860 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- SIRDALA District- Nawada

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Ram Prasad Rajbanshi S/o- Late Govind Rajbanshi Village- Chaili, P.S-
Sirdala, District- Nawada (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sirdala
P.S. Case No. 104 of 2025, instituted for the offences punishable
under Sections 30(a) and 41 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 240 liters
liquor was recovered from motorcycle and 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 petitioner is neither owner nor rider of the motorcycle in question. It is further submitted that the petitioner was a passerby of that way and was apprehended on the basis of suspicion. The petitioner is in custody since 14.03.2025 and has got one criminal antecedent in which he is on bail. 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 Sirdala P.S. Case No. 104 of 2025.

(Rudra Prakash Mishra, J)

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