

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33759 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- CHIRAIYA District- East Champaran

Arjun Rai S/o Bailas Rai@ Bilash Rai R/o Village- Sapgadra, P.S.- Chiraiya,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the State : Mr. Nitya Nand Tiwary, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Section 317(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2016.

3. The recovery of total 100 litres of country made liquor has been shown from the seized jute sack which was being carried on a motorcycle and the petitioner was arrested on the spot along with the said motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is not the owner of the said motorcycle and no recovery has been made from his physical and conscious possession. It is further submitted that the entire process of



search and seizure amounts to violation of the mandatory provisions as there is no independent witness to the said seizure. It is next submitted on behalf of the petitioner that he has been languishing in custody since 09.02.2025 with no criminal antecedent.

5. Learned APP for the State, however, opposes the prayer for regular bail.

6. However, it is agreed by learned counsel for the petitioner that an amount of Rs. 2500/- (Rupees Two Thousand Five Hundred) would be deposited in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

7. Considering the above-mentioned facts and circumstances, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chiraiya P.S. Case No. 58 of 2025.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the



aforesaid amount in the account of Patna High Court Legal
Services Committee, Patna.

(Soni Shrivastava, J)

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