

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31592 of 2025

Arising Out of PS. Case No.-428 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Rajesh Kumar Sah S/o Banarsi Sah R/o Village- Khairi, P.O.- Barhuta Kala,
P.S.- Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar, Advocate
	:	Mr. Sarfraz Ahmad, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The perusal of the first information report and the seizure list would go to show that a total of 315 litres of country made liquor has been recovered from a tractor.

4. It has been submitted on behalf of the learned counsel for the petitioner that the name of the petitioner has surfaced in this case on the ground that he happens to be the owner of the said tractor. However, the petitioner was not driving the said tractor and he was also not aware that his tractor



was being used for carrying liquor. Further, the mandatory provisions of search and seizure have also been violated inasmuch as there is no independent witness to the seizure list. The petitioner has no criminal antecedent.

5. Learned APP for the State opposes for prayer for bail.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Ramgarh P.S. Case No. 428 of 2023 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 Special Judge, Excise-II, Kaimur at Bhabua, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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