

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38763 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- DARPA District- East Champaran

Surendra Rai @ Surendra Ray son of Sheo Rai @ Shiv Ray Resident of
village- Narkatiya, ps- Darpa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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

ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Darpa
P.S. Case No. 74 of 2025 instituted for the offences punishable
under Sections 274, 275, 3(5) of the BNS and 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 50 litres
of liquor has been recovered from cattle-shed.

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
outside the house of the petitioner, i.e. from cattle-shed which is



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 05.04.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Darpa P.S. Case No. 74 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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